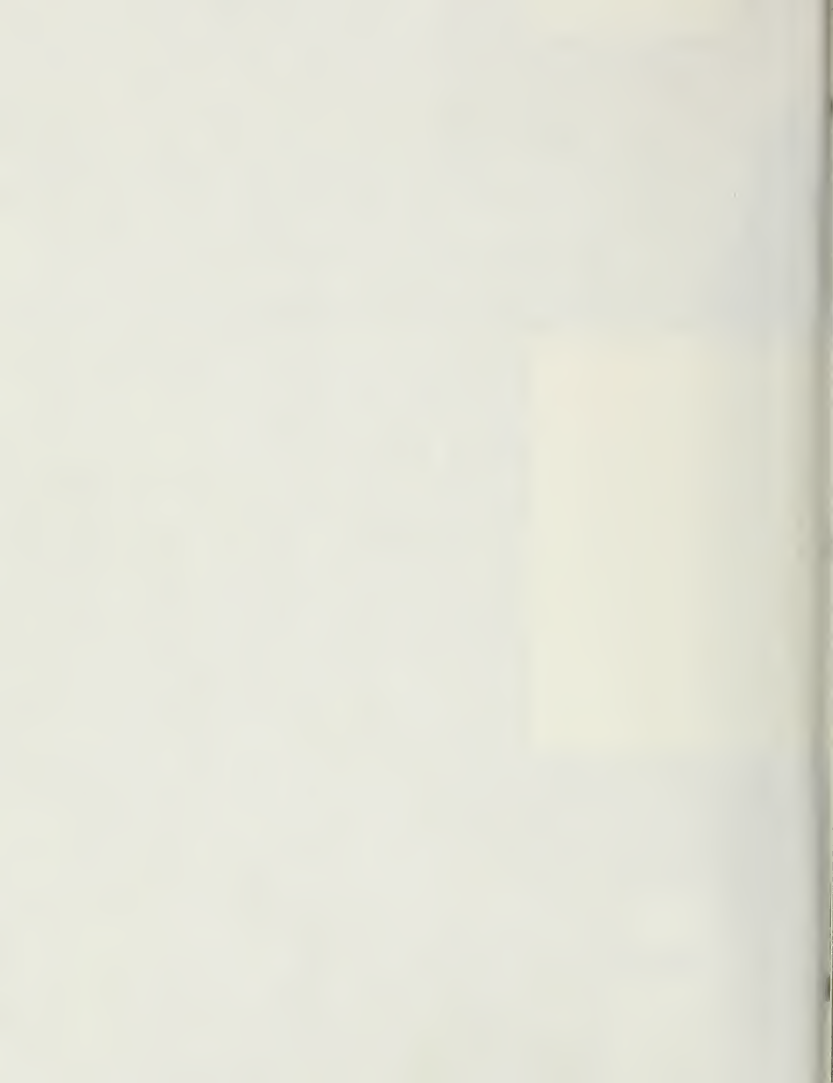


SAN FRANCISCO POLICE COMMISSION
OFFICE OF CITIZEN COMPLAINTS

ANNUAL REPORT

1985 – 1986



OFFICE OF CITIZEN COMPLAINTS

THE PROFESSIONAL STANDARDS AGENCY OF THE SAN FRANCISCO POLICE DEPARTMENT

CITY AND COUNTY OF SAN FRANCISCO



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April 2, 1986

Honorable Members of the
Police Commission
City and County of San Francisco
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Honorable Members of the Police Commission:

Attached is the 1985 Annual Report of the Office of Citizen Complaints. As required by the Charter, it provides essential details concerning the source, cause, location and type of citizen complaints and provides additional information, noting trends, with an effort to be as predictive as possible.

The Report is one of success. The SFPD has maintained its one-third reduction of complaints observed during the first six months of 1985, and if trends maintained in 1986 are also maintained, will be able to cut its complaint rate in half. OCC has provided the data. The Department has cooperated at every level to further professionalize officer behavior -- this most especially by its operational level strengthening of its chain of command.

We have, on the basis of an analysis of complaints in our City, presented several policy recommendations in this report. If approved by you and fully implemented by the SFPD, we are convinced that they will significantly reduce complaints even further.

We are grateful for the Commission's support, thankful for the Department's close cooperation and hopeful that the emerging understanding of OCC's contribution to the work of the rank and file of SFPD officers will continue to increase.

Sincerely,

Frank J. Schober, Jr.
Director

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I. EXECUTIVE SUMMARY

THE CHARTER MISSION OF THE O.C.C.

Complaints of police misconduct or allegations that a member of the police department has not properly performed a duty shall be promptly, fairly and impartially investigated by the Office of Citizen Complaints. The O.C.C. shall recommend disciplinary action to the Chief of Police on those complaints that are sustained....schedule hearings before hearing officers when requested by the complainant or member of the department (when) such a hearing will facilitate the fact finding process...(The Office) shall prepare monthly summaries of the complaints received and shall prepare recommendations quarterly concerning policies or practices of the department which could be changed or amended to avoid unnecessary tension with the public." (See Annex A of this report for a copy of the Charter Amendment which authorizes the OCC).

ADDITIONAL ASSIGNED MISSION OF THE O.C.C.

The additional assigned mission implied by the Charter and subsequently ordered by the Police Commission is to function as the professional standards agency of the San Francisco Police Department; to aggregate information concerning the source and causes of citizen complaints, to provide that information in usable form to the department, to make policy recommendations to the Police Commission based on the information analyzed; to conduct, when requested by the department, training for its officers that will result in a reduction of complaints by improving the quality of professional contacts with citizens of this City, and finally; to keep the public and definable segments of the public informed as to the citizen complaint process and of the department's progress in reducing both the incidence and the causes of complaints.

THE SITUATION 1985

The Office of Citizen Complaints began to function effectively in 1985. The backlog of cases awaiting action was reduced from over 340 in early 1985 to 76 in 1986.

Various standards and methods of performance for the Office of Citizen Complaints were developed and implemented in 1985. Reports on them follow:



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THE MORNING REPORT

A "Morning Report" system was implemented which reports to commanding officers by name and star number complaints filed against their officers by citizens during the previous 24 hour period. This report is delivered daily. (A recent change has improved this system. The 293 form (See Annex B) on which citizen complaints are registered is now copied and sent along with the "Morning Report". The advantage gained by this change is that a complaint can be discussed with the officer at the time notification is given that it has been received.)

THE "BI-WEEKLY WRAP-UP"

A compendium or "Bi-Weekly Wrap-up" is sent to all commanders of the S.F.P.D. identifying officers who have received more than three complaints in a 6 month period. While the number of complaints received may not of itself indicate that there is a serious problem in the officer's behavior, it may nevertheless be a cause for concern and review. Commanding Officers may, as a result of their review of the Bi-weekly Wrap-up, request that the OCC provide them with a confidential, detailed complaint analysis of the officer's complaint history to determine if patterns exist that would provide information for useful counseling of the officer (Annex C).

EXPEDITIOUS CASE HANDLING METHOD

OCC has developed an improved handling system for complaints that it receives. Complaints must, under the system initiated in 1985, receive a disposition designation within five working days of receipt. If after a fair and careful analysis of the evidence actually or potentially available, the case can be handled with a detailed investigation, 40 and no more than 90 days are the time goals allotted. Timely required correspondence to affected parties insures that both complainant and officer are kept fully informed at each step of the process. (See Annex D).

THE O.C.C. HEARINGS SYSTEM

The OCC Hearings system began full functioning in the second quarter of 1985. At the conclusion of a detailed investigation hearings may be requested by either the officer named in the complaint or the complainant. They are held when the fact finding process will be advanced and facilitated by such a hearing as determined by the Director of the OCC. An experienced panel of hearing officers serves this process efficiently. Seventy-two cases were heard in 1985.

O.C.C. CASE QUALITY REVIEW AND IMPROVEMENT

OCC has developed a case review system which includes peer group meetings; and joint evaluations of case work by staff investigators. Standards for the quality and speed of investigations have been implemented which require each investigator to turn in 1.5 cases per week; hold no case for longer than 90 days and preferably no longer than "40 days"; and work to see that each investigation is characterized as thorough, fair and complete.

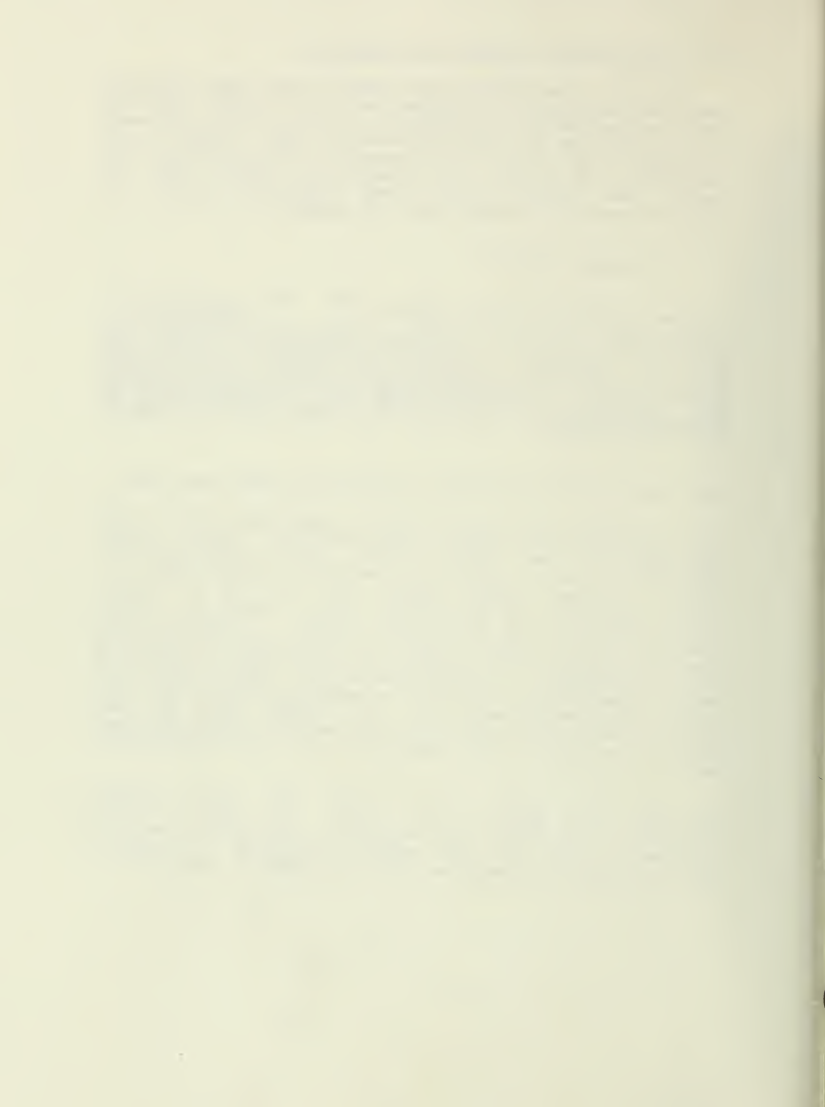
O.C.C. FAIRNESS DOCTRINE

OCC investigators have also been specifically charged with the responsibility to "demonstrate a self-evident anxiety to be fair to both the officer and to the citizen making a complaint; to provide timely work that is thorough, complete and precise demonstrating neither fear nor favor and finally to arrive at a logical and justified conclusion based on a preponderance of evidence available." (See Annex E, Detailed investigative case dispositions)

SFM, THE SAN FRANCISCO MODEL FOR HANDLING COMPLAINTS FILED

A review of the historical background reveals that the typical Internal Affairs operation of a modern police department was set up to answer public criticism that departments were not handling complaints expeditiously or fairly. Citizen review panels were set up to either monitor Internal Affairs units or to take over their entire function for the same reason. The City of San Francisco did a slightly different but significant thing when it changed its Charter to provide for an Office of Citizen Complaints; it incorporated the office under its Police Commission, made it co-equal in departmental rank to the uniformed Police Force and thereby gave the new office links and access to the entire department that would add greatly to its efficiency as an investigative body.

The SFM takes into account the total reported activity of a unit or an officer and relates total complaints for units or activities to those totals of reported activity. Not all officer activity is reported but the amount of unreported activity tends to equalize



among units and individuals. In order to standardize complaints of a unit or individual, a ratio of complaints per 1000 activities reported is calculated. Using these comparisons and ratios in its reports, OCC is able to make valid comparisons between officers and their peer group members working the same watches, at the same stations. Commanding officers can thereby counsel officers more effectively by drawing "good" or "bad" peer group comparisons and can themselves be more effectively rated by the senior SFPD staff.

WHAT OCC STATISTICAL ANALYSIS HAS FOUND - 1985

1. The conventional wisdom repeated frequently in the U.S. police culture that "If you do more work, you get more complaints" does not hold true -- at least as far as the City of San Francisco is concerned. Officers in the top 3.5% of the activity reports have, in fact, a complaint rate that is only one third that of the force as a whole.

2. The total, per officer complaints in 1985 (a figure holding true thus far for 1986) was .7 complaints per officer. (This excludes complaints which on their face are either placed in the category of Proper Conduct or Unfounded.)

3. 1985 showed a 33-1/3% reduction of complaints compared to 1984. (See Figure 1. which follows)

4. If the record for the first three months of 1986 is maintained, 1986 complaints will be 18.4% lower than in 1985 (an overall reduction of 51.7%).

5. As a result of its statistical analyses, OCC is presenting confidential data to the Police Commission and to the Chief of Police that will provide the identification of officers of the SFPD responsible for an inordinate number of complaints. (This data will be similar to a report now current in the San Jose Police Department which several years ago indicated that 40 officers in a department of over 900 were responsible for 25% of the complaint total for the Department). Identification and counseling of officers identified as high complaint getters accompanied by a reduction of their complaints will result in a most significant reduction in the overall complaint totals for the department.

6. The chain of command and much of the rank and file of the SFPD is now fully supportive of the complaint reduction process. The PIP or Personnel Improvement Program is fully in place and is being strengthened by the department. This program holds the supervising, operational level sergeant responsible for the behavior of officers under his or her command, and requires that complaint reports be discussed by the Sergeant with the named officer as soon as when they arrive at the station.

POLICY RECOMMENDATIONS TO THE POLICE COMMISSION SFPD 1985

In accordance with the provisions of the Charter of the City and County of San Francisco, the Office of Citizen Complaints is required to make regular policy recommendations to the Police Department which will reduce the incidence of complaints by citizens which relate to police activity in the City. Following are the recommendations:

I. NAMEPLATES SHOULD BE WORN BY ALL UNIFORMED OFFICERS AT ALL TIMES WHILE ON DUTY.

For the purpose of easier identification and for the promotion of better communications, officers should wear their names, properly displayed, in a standard manner.

The New York City Police Department has this requirement and any officer found to be without a nameplate is considered "out of uniform". Los Angeles P.D. has had the requirement for several years and attributes a reduction of complaints to the system. The San Jose Police Department instituted the requirement under the leadership of its present Chief McNamara. The feeling of OCC is that nameplates would greatly assist the process of officer identification, reduce the number of misidentifications and assist in the reduction of complaints.

II. OFFICERS SHOULD BE REQUIRED TO DOUBLE LOCK HANDCUFFS AS A MATTER OF STANDARD OPERATING PROCEDURE.

A large number of complaints result from injury in the application and transportation of subjects wearing handcuffs. With the new state requirements for seat belts, increased pressure on the bodies of subjects could cause non-double locked cuffs to tighten excessively. The San Jose Police Department requires officers to routinely double lock handcuffs at the time they are applied.

III. PROPERTY CONTROL TRAINING SHOULD BE DEVELOPED AS A JOINT PROJECT BETWEEN S.F.P.D. AND S.F. SHERIFF'S OFFICE PENDING ESTABLISHMENT OF CENTRALIZED BOOKING.

The Sheriff's Department receives the bulk of prisoner property. In an effort to increase cooperation and coordination between the S.F.P.D. and the Sheriff, a program should be initiated to advance the training of S.F.P.D. personnel in booking of property procedures. This training, efficiently performed, will result in better property control, fewer complaints and fewer claims against the City.

IV. RESTATE GENERAL ORDER 115 IN A WAY UNDERSTANDABLE TO THE PUBLIC. POST THE RESTATEMENT FOR PUBLIC VIEW AT THE STATION HOUSES. INCLUDE A STATEMENT OF WARNING OF POSSIBLE ARREST IF PAYMENT IS NOT PROFFERED AS REQUIRED.

Due to previous misunderstandings, the acceptable methods of payment of traffic warrants should be reviewed at each station, along with the proper procedures for handling the person (i.e., not taking him or her into the booking area, nor handcuffing him or her while the warrant information is verified). The policy stating acceptable methods of payment for traffic warrants should be posted in the public reception area at every station, along with a warning of arrest if a citizen is unable to pay by these means.

V. REQUIRE THAT ALL OFFICERS ADDRESS CITIZENS BY THEIR TITLES, IF SUCH TITLE EXISTS AND IS KNOWN TO THEM, OR BY THE POLITE FORMS OF "SIR" OR "MAAM" IF THEY ARE NOT.

Initiating conversation in the polite form is of great assistance in establishing proper citizen-officer communication and will reduce discourtesy complaints. The New York Police Department, San Jose Police Department and Chicago Police Department strongly recommend that their officers use these polite forms when contact is initiated with a citizen.

VI. THE DEPARTMENT SHOULD STRIVE FOR A REDUCTION^C OF 25% IN CITIZEN COMPLAINTS.

Improved officer behavior is largely responsible for a 33% reduction in citizen complaints experienced in 1985. With improved officer training, communications, greater officer sensitivity to citizens, and a greater awareness of citizen complaints, it is possible to reduce complaints by another 25%.

II. OFFICE OF CITIZEN COMPLAINTS
COMPLAINT STATISTICS FOR CALENDAR YEAR 1985

CITIZEN COMPLAINTS IN 1985, GENERAL INFORMATION

O.C.C. received 1,612 complaints of police misconduct during 1985, or an average of about 134 per month. Table 1. shows the receipt for complaints on a monthly basis for the District Stations and combined bureaus (Other). The percent scores under the columns headed Company A - Total total 100% between January and December, the Total row at the bottom reads across and gives the number and percent of complaints accounted for by each assignment during 1985. We cannot identify any significant seasonal or other cyclical patterns in 1984 or 1985 data. For 1985 the intake numbers tend to be highest toward the start of the year and decrease through July. The monthly average of 152 complaints per month during the first six months of 1985 drops to 117 during the last half. The 23% difference between the first and second halves reflects the general decline in complaint activity that began late in 1984.

Figure 1. indicates how the 1,612 complaints were received. O.C.C. accepts complaints directly from citizens who visit the office in person (59% of all complaints), call (22.9%), or write (7.4%). O.C.C. also receives complaints taken by outside agencies, primarily the San Francisco Police Department (7.4%), a few of the community based organizations and other institutions (3.3%). Most complaints forwarded from S.F.P.D. district stations originate in the most distant districts. O.C.C. encourages people to complain in person at our office. The reason is simple, better information is obtained when a trained investigator can spend time with the complainant and our chances of sustaining a legitimate complaint increase. Complaints taken by S.F.P.D. members at district stations, taken by staff of other public groups, or supplied by the complainant without an investigative interview often lack essential details.

O.C.C. has taken steps to encourage complainants to come to their office, and to provide detailed instructions to desk staff at district stations and to complainants who request mail-in complaint forms. Citizens are now sent instructions for filing complaints in easy to obtain brochures printed in English, Spanish, Chinese, and Tagalog.

Figure 2. shows the distribution of complaints during 1985 by day of occurrence. Complaints are spread over the various weekdays without any obvious pattern.

Figure 3. indicates the time of occurrence for 1985 citizen complaints, by month and by watch. Watch 1 begins at 12:00am and ends at 7:59am. Watch 2 runs from 8:00am until 3:59pm; Watch 3 lasts from 4:00pm until 11:59pm. The legend "VAR" means variable times and is combined with complaints for which time of occurrence is unknown. Watch 3 is the time of occurrence most likely to be indicated in complaints, followed by Watch 1. In general, Watch 2 complaints are likely to involve minor incidents such as traffic stops and parking citations. Late night and early morning complaints (first half of Watch 1, second half of Watch 3) are more likely to be related to serious incidents. Allegations of unnecessary force usually occur in this time period, and the individual complainants are often people who are alleged by the named officers to have been engaged in various misdemeanor and felony acts. The late evening time frame also accounts for the majority of complaints linked to the use and sales of alcohol and drugs. As indicated in Figure 4., alcohol and drug related complaints comprise about 20% of all cases. Of the total drug and alcohol related complaints, roughly a fifth originated in activities carried out by the S.F.P.D. Narcotics Bureau--most involve regular uniformed officers and complainants who were detained for being intoxicated and disorderly in public.

Table 2. shows the distribution of complaints according to the type of place where the incident occurred. About 60% of all complaints involve incidents which happen on public streets or in parking lots. There is some variation from assignment to assignment. The greatest difference is 13% between Company D and Other. Complaints involving incidents at the complainant's residence are the next most frequent. They account for 15.5% of all cases. The range of variation between assignments is greater; the largest difference is that separating Company A (9.8%) and Company H (26.9%). Instances of alleged police misconduct in private residences are noticeably higher than average in Districts F. and H. One possible cause is a concentration of indoor drug sales in these areas (as opposed to street dealing in other districts), with correspondingly higher numbers of raids on residences. For the department as a whole, charges of misconduct inside of police buildings total 8.4% of all complaints.

Table 3. gives the distribution of complaints by assignment and by the type of activity being performed by officers named in complaints. For the most part, individual assignments vary from the department as whole either very little or in predictable ways. Companies A, B, C, D, and E, for example, have a higher percent of

arrest related complaints than do Companies F, G, and I. This is not unexpected, since Companies A - E make many more arrests relative to other activities than do Companies F - I. On the other hand, Company G is well above the department average in terms of complaints originating with parking tickets, traffic stops, and calls into the station. The high proportion of traffic related complaints is consistent with the kinds of officer activities most frequently performed in the Richmond District (G), which is a relatively quiet and predominantly residential area of the City.

COMPLAINANTS

O.C.C. is required by Section 3.530-2 of the City Charter to prepare monthly and quarterly reports that summarize complaints received and to recommend alterations to policies or practices that could be "changed or amended to avoid unnecessary tension with the public or a definable segment of the public...." In order to comply with this, O.C.C. maintains information on the general population characteristics of the City and its subdivisions, the basic human and social traits of complainants, and the frequency of improper conduct allegations or other questionable actions that different population segments might be at risk of experiencing. Age, sex, race or ethnic identity, and residence are key variables likely to be correlated with patterned differences in risk factors.

Despite the problems of allocating the total population into subgroups, the 1985 estimates presented below are sufficiently accurate to indicate major differences between groups. The following estimates of population composition are based a total population of 735,000:

<u>SEX</u>	<u>Male</u>	<u>Female</u>
	366,030	368,970
<u>AGE</u>	<u>Years</u>	<u>Number</u>
	18	126,200
	18-25	91,940
	26-35	163,739
	36-45	86,636
	46-55	76,553
	56-65	76,045
	65	113,887

ETHNICITY

	<u>White</u>	<u>Black</u>
	384,467	93,544
	<u>Hispanic</u>	<u>Asian</u>
	90,253	114,951
	<u>Filipino</u>	<u>Other</u>
	41,422	10,363

Figure 5. shows the distribution of complainants by sex. Although males account for slightly less than half of the City's population, they lodge over 70% of all complaints. Women, on the other hand, are in the majority but file less than a quarter of all citizen complaints.

Figure 6. gives the distribution of complainants by age-group. There follows a listing of age groups by percent of total population versus percent of all complainants:

<u>AGE-GROUP</u>	<u>% OF POPULATION</u>	<u>% OF COMPLAINANTS</u>
18	17.2%	2.0%
18-25	12.5%	21.6%
26-35	22.3%	32.2%
36-45	11.8%	19.4%
46-55	10.4%	6.6%
56-65	10.4%	3.7%
65	15.4%	1.3%

It can be seen that people between the ages of 18 and 45 account not only for a large majority of all complaints, but for a percent share about double that of their size relative to the whole population. This finding is not unexpected, especially since the majority of complainants are males. It is well established that males, young adults in particular, have higher risks of being victims of homicide (especially blacks), of death in vehicular accidents (most of which are associated with alcohol or other drugs), and in general of mortality due to social rather than biologically determined forms of mortality; risk of involvement in drug abuse is higher, as is the likelihood of being arrested. All of these considerations would lead one to predict patterns in complaints such as those found in San Francisco.

Figure 7. shows complainants by ethnic group. Following the same procedure used in the discussion of age-group distribution, a comparison of the ethnic composition of complainants against their estimated share of the City's entire population is made.

<u>ETHNIC GROUP</u>	<u>% OF POPULATION</u>	<u>% OF COMPLAINANTS</u>
White	52.3%	23.3%
Black	12.7%	26.3%
Hispanic	11.3%	9.2%
Asian	15.6%	8.1%
Filipino	5.6%	1.6%
Other/Unknown	2.5%	33.2%

Race and ethnicity are difficult to work with because there is no consensus as to what they mean. Perhaps the most important thing to remember is that the meanings attached to the terms are culturally relative rather than absolute. Given the limitations imposed by the population estimates, it would appear safe to assume that members of ethnic groups other than whites or blacks file complaints at or below the level that would be expected given their share of the total population.

O.C.C. also tracks complaints by complainants' place of residence. Figure 8. shows the relative share of complaints lodged by San Francisco residents, non-residents, the homeless, and those for whom this information is lacking. Slightly over 75% of all complaints are filed by residents. Various estimates claim that the number of commuters and other non-residents who come to San Francisco each day is greater than the number of people who live here. If so, we can state that non-residents are less likely, on a per-capita basis, to lodge a complaint. Most non-residents are in town during the day, at work. Alleged incidents of misconduct are least frequent during the second half of Watch 1 and all of Watch 2. Most non-resident complainants are from neighboring cities and towns (Oakland, Richmond, Berkeley, and various Marin County locations). Their problems usually occurred either very late at night or very early in the morning, while they were in Districts A, E, and D. (areas with many clubs, bars, etc.).

OFFICERS NAMED IN COMPLAINTS

Traditional I.A.B. methods concentrated on case by case examinations of complaints. The results of the investigations would be noted in the named officers' records, but there seems to have been little effort made to track officers' records in search of patterns that might exist at either the individual or assignment level. O.C.C. does both case by case and pattern investigations. In addition to the information directly relevant to a case (e.g., officer's name, star number, assignment, activities, etc.), O.C.C. collects a considerable amount of background information about sworn officers. This section summarizes 1985 complaints in terms of the major traits of the named officers.

In 1985, 2,486 officers were named in 1,612 complaints; the average number of officers named per complaint is 1.54. Since the average force size for the year was 1,938 sworn officers, we could say that each officer was named on the average of 1.28 times in a citizen complaint. In reality, many officers were named two or more times and a much greater number had no reported involvement at all in cases of alleged misconduct. Table 4. shows the disposition of the department's sworn officers in 1985 by rank, sex, and ethnicity. The raw numbers are converted into percents, as was done for census data and our population estimates, with the following results:

TABLE 4. 1985 COMPOSITION OF SFPD BY SEX, RACE, AND RANK

<u>SEX</u>	<u>MALE</u> 90.3%	<u>FEMALE</u> 9.7%				
<u>ETHNICITY</u>	<u>WHITE</u> 73.3%	<u>BLACK</u> 8.2%	<u>HISPANIC</u> 9.4%	<u>ASIAN</u> 7.1%	<u>FILIPINO</u> 1.7%	<u>OTHER</u> .3%
<u>RANK</u>	<u>POLICE OFFICER (Q2, Q20)</u> 72.4%					
	<u>INSPECTOR (Q35, Q380)</u> 12.1%					
	<u>SERGEANT (Q50)</u> 9.9%					
	<u>LIEUTENANT (Q60)</u> 4.0%					
	<u>ALL OTHER RANKS (Q80, Q460, Q488, Q400, Q390)</u> 1.6%					

Figure 9. gives the breakdown of 1985 citizen complaints by the sex of named officers. About 90% of the force is male and about 84% of complaints name male officers; females make up slightly under 10% of the force and are named in 9.1% of all complaints. Given the residual 6.7% of unknown cases, which probably would resolve into roughly the same 10:1 split between males and females., there is no marked difference between male and female officers with respect to receipt of complaints.

Figure 10. shows the distribution by ethnic group of officers named in citizen complaints. Slightly over 73% of the force is identified as white compared to about 61% of the officers named in complaints; 8.2% of the force is

identified as black, compared to 9.3% of officers named in complaints; 9.4% of all sworn officers are Hispanics versus 9.5% of the officers named in complaints; Asian officers account for 7.1% of the force and 8.1% of the officers identified by complainants; Filipinos amount to 1.7% of all S.F.P.D. officers and 1.4% of those named in complaints; members of other ethnic groups make up less than 1% of the force and account for less than 1% of all complaints--the ethnic identity of officers is unknown in about 10% of all cases received during 1985.

It appears that white officers tended to receive slightly fewer complaints during 1985 than did members of other ethnic groups. If the distribution of officers by ethnic group in the unknown cases is similar to the known distribution, and there is no reason to think otherwise, then the percent of officers named in complaints who are white would approximate their percent share of all officers. Whatever differences that might remain would be very marginal and could easily be produced by random month-to-month variations in the ethnic composition of officers who are complained against. There is no marked ethnic differential in the likelihood of officers being named in citizen complaints.

Figure 11. shows the distribution of citizen complaints by the rank of named members and month of occurrence Uniformly throughout the year, P.O.'s account for the great majority of complaints. This trend can be expressed another way, by comparing each rank's percent of the the total force versus its share of citizen complaints:

<u>RANK</u>	<u>% OF FORCE</u>	<u>% OF COMPLAINTS</u>
POLICE OFFICER	72.4%	79.6%
SERGEANT	9.9%	4.1%
INSPECTOR	12.1%	2.3%
LIEUTENANT	4.0%	.5%
OTHER	1.6%	.9%
UNKNOWN	NA	12.6%

We assume that Police Officers have different kinds of assignments and citizen contacts than do members in any of the other ranks. We also expected them to have a higher share of all citizen complaints. The relatively large number of unknown cases reflects, first, complaints about parking citations and, second, complaints related to alcohol and drug arrests made by officers not in uniform. Most of the former are written by Police Officers (we do not have jurisdiction over civilian Parking Control Officers and they are not counted in these figures); most of the latter are split between Inspectors and members of other ranks on duty in the Bureaus. Most of the unknown

cases should therefore be Police Officers, and the higher than proportionate number of complaints they receive is completely expected.

Figure 12. shows the distribution of officers named in citizen complaints according to how many years they have been members of the San Francisco Police Department. O.C.C. does not, at this time, have a computerized listing of all officer appointment information that could be used to make a comparison between the whole force and those officers named in complaints. The preponderance of named officers in the 3 - 5 years' service group matches the conventional wisdom within the department. Newer members tend to be very cautious, but after a few years they tend to become cocky and are more likely to do things that result in complaints. After roughly five years they reach professional maturity and the number of complaints they receive diminishes. It is clear that officers with 3 to 5 years of experience are more likely to be named in complaints. Members with 3 to 5 years in service are named in 837 (33.8%) of 2,476 allegations against individual officers. Most of the unknown cases would sort into the 3 to 5 year category as well.

In summary, the data reveal that the department should carefully monitor, with a view to early and effective counseling, officers who show up in OCC's monthly reports as having significantly more complaints than their peers performing the same work on the same watch. Special attention should also be paid to officers in the three to five year category.



DEFINITIONS

TYPES OF COMPLAINT

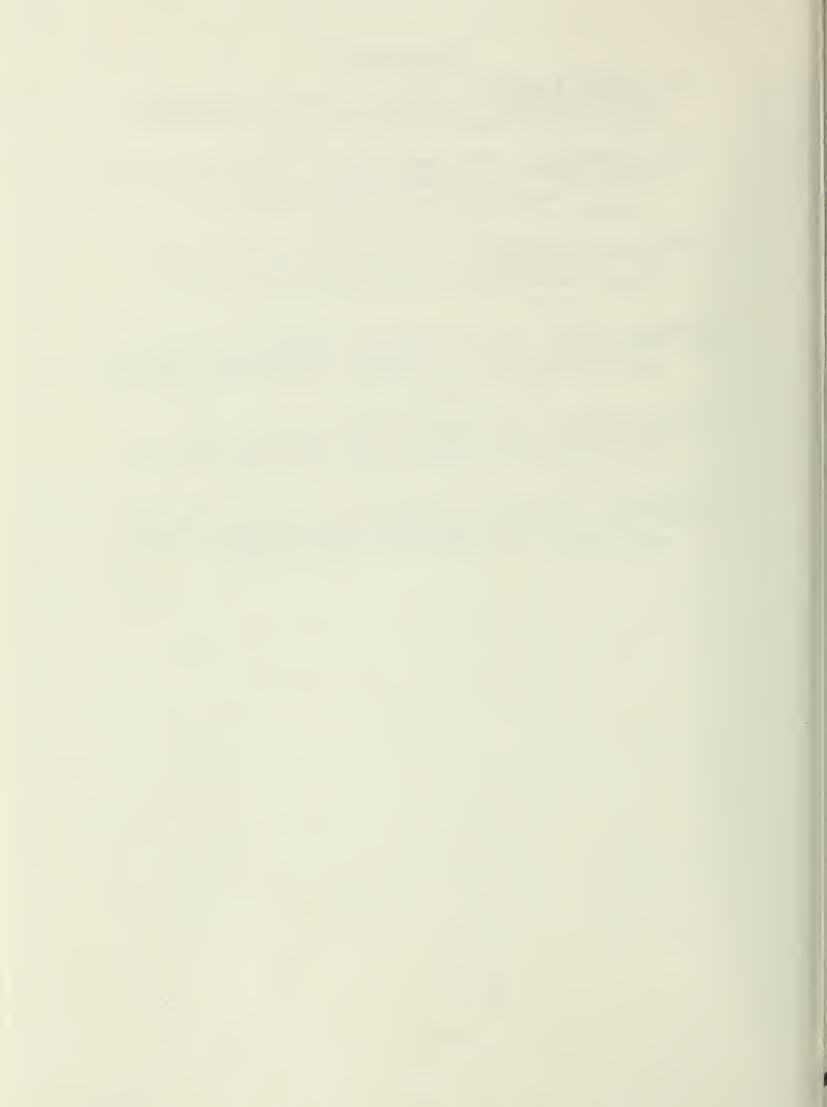
The Office of Citizen Complaints categorizes complaints into six basic types:

1. UNNECESSARY FORCE (UF). Force which goes beyond that which is reasonable and proper under the circumstances which would enable the member to perform any authorized police function.
2. UNWARRANTED ACTIONS (UA). Those actions for which there appears to be no reasonable justification under the circumstances when viewed in light of applicable law, training, supervision, and general departmental policy and procedures.
3. CONDUCT REFLECTING DISCREDIT ON THE DEPARTMENT (C.R.D.). Any act or omission by a sworn member of the department, which is not specifically defined in the departmental rules and procedures, which tends to subvert the good order, efficiency or discipline of the department, or which is prejudicial thereto, and which causes the department to be cast in a negative light for a member or members of the public.
4. NEGLECT OF DUTY (N.D.). The willful or negligent failure or refusal by a member of the department to perform a legally or departmentally mandated duty, a violation of which may constitute discredit on the department.
5. ETHNIC, RACIAL, OR SEXUAL SLURS (R.S., S.S.). The use of any of the common or slang terms, which are generally perceived to be derogatory in nature, to refer to any member of a racial, ethnic, or religious group or to refer to any person's nationality, sex, or sexual orientation, or which may constitute sexual harassment.
6. DISCOURTESY (D.). Any impolite action, word, or gesture which in common usage would cause offense and which is not incorporated by definition into any other category of misconduct.

Figure 13. shows the distribution of 3,161 allegations of improper conduct made by citizens in 1985 according to the types of misconduct defined above. Discourtesy was not used as a separate category until late in 1985 and many allegations that were coded as U.A. or C.R.D. earlier in the year have subsequently been considered to be discourtesy.

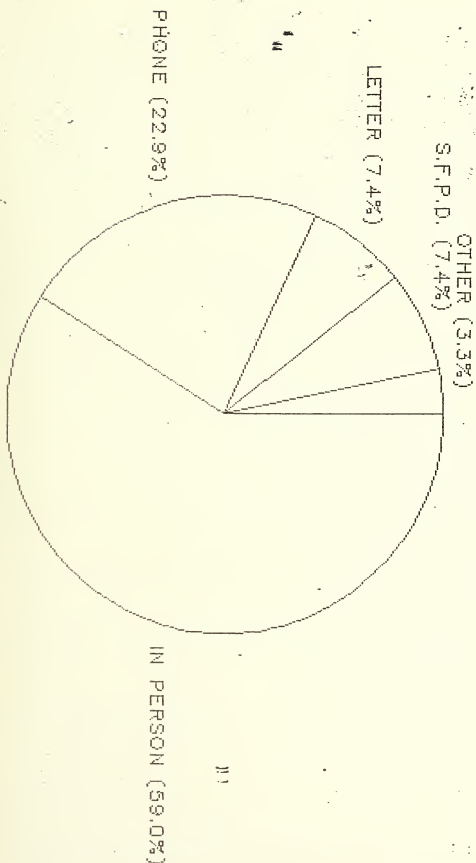
DISPOSITIONS

1. C.O. ACTION REQUIRED. The named member's commanding officer must meet with the named member and inform O.C.C. of the meeting and its outcome.
 2. C.O. INFORMATION. The named member's commanding officer is notified that the member has been named in a citizen complaint, but no formal action or response are required to be made.
 3. INSUFFICIENT EVIDENCE. The complaint may have merit, but a preponderance of evidence is lacking and cannot be developed through additional investigation.
- NO FURTHER ACTION. The complainant alleged actions that are in violation of departmental regulations, but the complainant failed to provide sufficient material to allow any other finding.
5. PROPER CONDUCT. The named member is found to have engaged in the acts complained about, but those acts in accordance with established departmental regulations.
 6. UNFOUNDED. Evidence exists which shows that either the act alleged to have occurred did not occur, or the named officer could not have been involved.



OFFICE OF CITIZEN COMPLAINTS

HOW COMPLAINTS WERE RECEIVED: 1985



As depicted in this figure, the majority of complaints are taken by OCC investigators through personal interviews.

FIGURE 1.



OFFICE OF CITIZEN COMPLAINTS

DAY OF OCCURRENCE: 1985

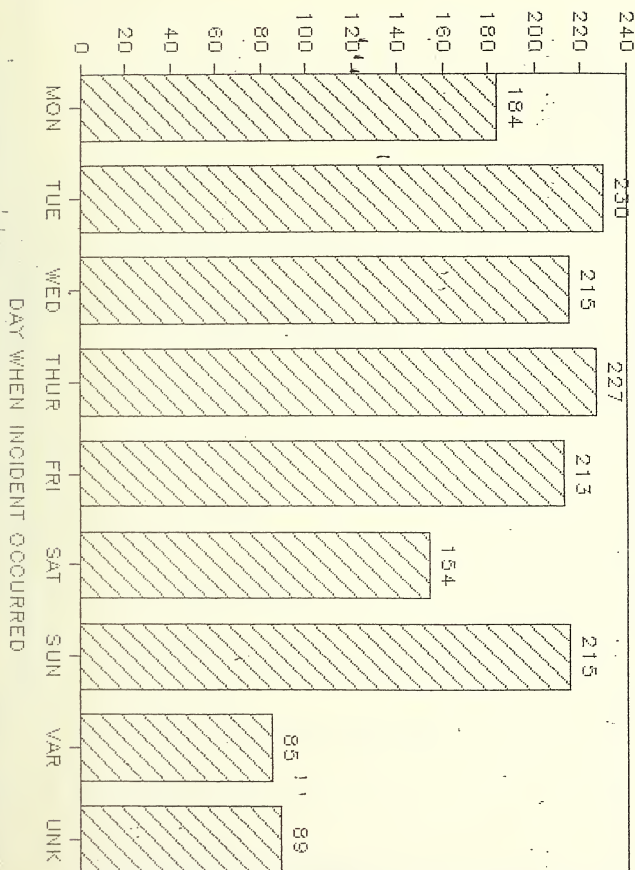


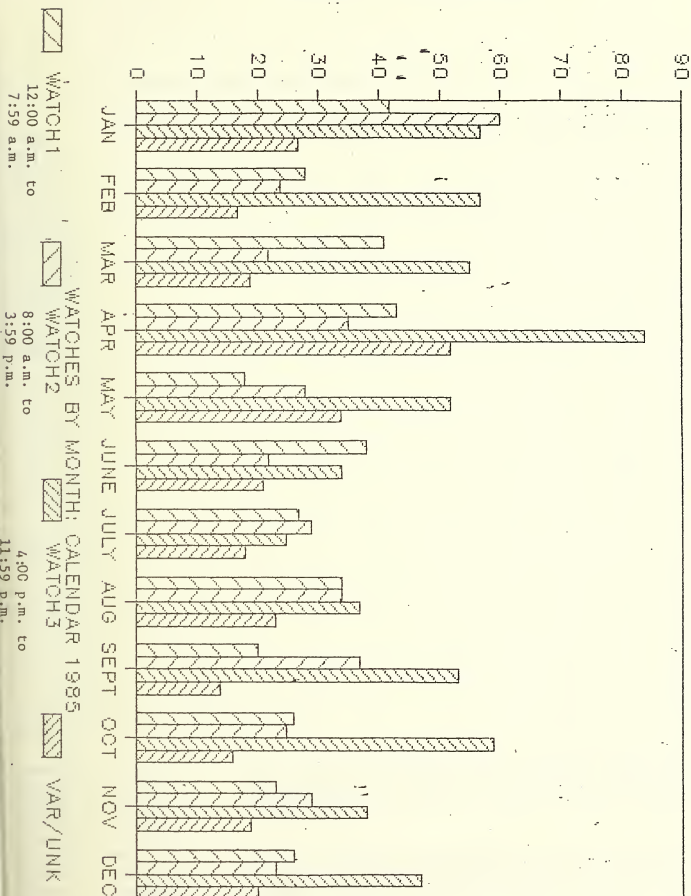
Figure 3 depicts which day of the week the complaints occurred. There is no obvious pattern.

FIGURE 2.

OFFICE OF CITIZEN COMPLAINTS

COMPLAINTS BY TIME OF OCCURRENCE

NUMBER OF COMPLAINTS



The highest number and the most serious complaints occur during the first half of Watch 1 and the second half of Watch 3 and involve a high incidence of unnecessary force.

FIGURE 3.

PLACES WHERE ALLEGED INCIDENTS OF IMPROPER CONDUCT OCCURRED, BY ASSIGNMENTS: ALL 1985

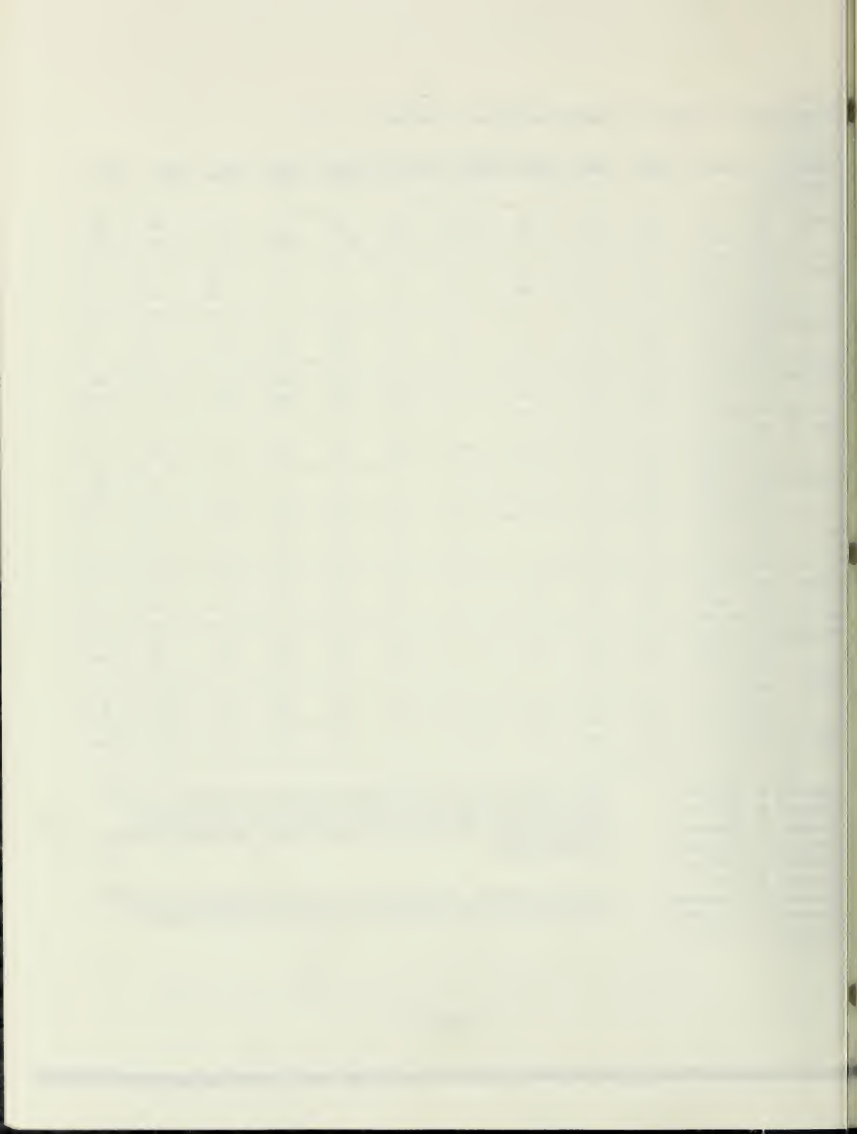
COMPANY:		COMPANY	COMPANY	COMPANY	COMPANY	COMPANY	COMPANY	COMPANY	COMPANY	COMPANY	OTHER	TOTAL
TYPE PLACE		A	B	C	D	E	F	G	H	I		
STREET	#	171	73	93	98	139	40	37	54	37	244	986
	%	66.8%	57.5%	65.0%	67.1%	58.9%	61.5%	62.7%	58.1%	64.9%	54.0%	60.3%
MUNI	#	2	1	0	0	0	0	1	0	2	4	10
	%	0.8%	0.8%	0.0%	0.0%	0.0%	0.0%	1.7%	0.0%	3.5%	0.9%	0.6%
POLICE VEH.	#	0	0	2	1	5	0	1	0	0	0	9
	%	0.0%	0.0%	1.4%	0.7%	2.1%	0.0%	1.7%	0.0%	0.0%	0.0%	0.6%
RESIDENCE	#	25	16	28	17	45	15	10	25	6	67	254
	%	9.8%	12.6%	19.6%	11.6%	19.1%	23.1%	16.9%	26.9%	10.5%	14.8%	15.5%
PARK	#	3	0	3	4	1	3	2	0	1	11	28
	%	1.2%	0.0%	2.1%	2.7%	0.4%	4.6%	3.4%	0.0%	1.8%	2.4%	1.7%
PUBLIC BLD	#	27	12	6	10	17	3	4	9	6	29	123
	%	10.5%	9.4%	4.2%	6.8%	7.2%	4.6%	6.8%	9.7%	10.5%	6.4%	7.5%
HALL	#	0	0	0	1	0	0	0	0	0	5	6
	%	0.0%	0.0%	0.0%	0.7%	0.0%	0.0%	0.0%	0.0%	0.0%	1.1%	0.4%
SCHOOL	#	0	0	0	0	0	0	0	0	0	1	1
	%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.2%	0.1%
POLICE BLD	#	23	22	9	13	23	4	1	2	3	38	138
	%	9.0%	17.3%	6.3%	8.9%	9.7%	6.2%	1.7%	2.2%	5.3%	8.4%	8.4%
OTHER	#	5	3	2	2	6	0	3	3	2	53	79
	%	2.0%	2.4%	1.4%	1.4%	2.5%	0.0%	5.1%	3.2%	3.5%	11.7%	4.8%
TOTAL	#	256	127	143	146	236	65	59	93	57	452	1634

Company A Central
 Company B Southern
 Company C Potrero
 Company D Mission
 Company E Northern
 Company F Park
 Company G Richmond
 Company H Ingleside
 Company I Taraval

This table shows where complaint related incidents occurred. Some complaints allege improper conduct in two or more settings, thus the total is greater than the total number of complaints.

The distribution of complaints by location indicates approximately 60% of all incidents occurred on public streets:

TABLE 2.



OFFICE OF CITIZEN COMPLAINTS
1985 ANNUAL REPORT

DISTRIBUTION OF COMPLAINTS BY ASSIGNMENTS AND MONTH OF OCCURRENCE

COMPANY:	COMPANY A	COMPANY B	COMPANY C	COMPANY D	COMPANY E	COMPANY F	COMPANY G	COMPANY H	COMPANY I	OTHER	TOTAL
JANUARY	27 10.9%	13 10.3%	21 14.9%	11 7.7%	25 10.6%	7 11.1%	6 10.3%	13 14.0%	14 7.1%	59 13.2%	186 11.5%
FEBRUARY	15 6.0%	8 6.3%	19 13.5%	13 9.1%	18 7.6%	7 11.1%	5 8.6%	4 4.3%	9 16.1%	28 6.3%	126 7.8%
MARCH	27 10.9%	12 9.5%	5 3.5%	11 7.7%	25 10.6%	1 1.6%	7 12.1%	7 7.5%	4 7.1%	38 8.5%	137 8.5%
APRIL	35 14.1%	10 7.9%	17 12.1%	16 11.2%	39 16.5%	12 19.0%	7 12.1%	16 17.2%	3 5.4%	59 13.2%	214 13.3%
MAY	16 6.5%	17 13.5%	16 11.3%	17 11.9%	17 7.2%	7 11.1%	4 6.9%	7 7.5%	4 7.1%	27 6.0%	132 8.2%
JUNE	21 8.5%	7 5.6%	7 5.0%	10 7.0%	15 6.4%	4 6.3%	6 10.3%	10 10.8%	3 5.4%	32 7.1%	115 7.1%
JULY	16 6.5%	11 8.7%	5 3.5%	8 5.6%	20 8.5%	3 4.8%	2 3.4%	4 4.3%	5 8.9%	25 5.6%	99 6.1%
AUGUST	22 8.9%	11 8.7%	9 6.4%	9 6.3%	19 8.1%	5 7.9%	3 5.2%	5 5.4%	7 12.5%	38 8.5%	128 7.9%
SEPTEMBER	16 6.5%	12 9.5%	12 8.5%	11 7.7%	19 8.1%	8 12.7%	4 6.9%	6 6.5%	6 10.7%	30 6.7%	124 7.7%
OCTOBER	18 7.3%	10 7.9%	7 5.0%	14 9.8%	10 4.2%	5 7.9%	5 8.6%	10 10.8%	4 7.1%	43 9.6%	126 7.8%
NOVEMBER	15 6.0%	8 6.3%	12 8.5%	14 9.8%	14 5.9%	2 3.2%	3 5.2%	4 4.3%	4 7.1%	33 7.4%	109 6.8%
DECEMBER	20 8.1%	7 5.6%	11 7.8%	9 6.3%	15 6.4%	2 3.2%	6 10.3%	7 7.5%	3 5.4%	36 8.0%	116 7.2%
TOTAL	248 15.4%	126 7.8%	141 8.7%	143 8.9%	236 14.6%	63 3.9%	58 3.6%	93 5.8%	56 3.5%	448 27.8%	1612 100.0%

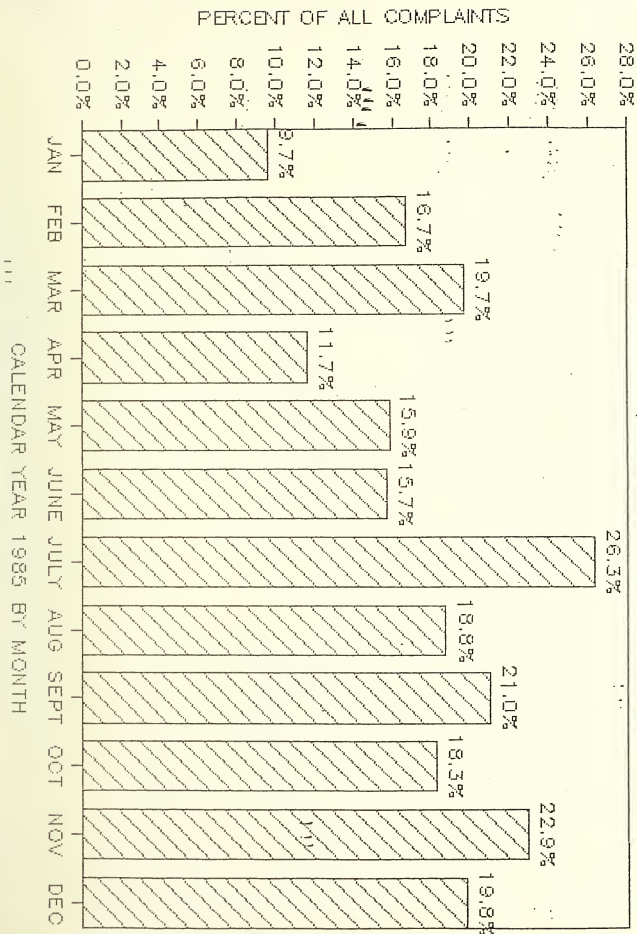
Company A - Central
Company B - Southern
Company C - Potrero
Company D - Mission
Company E - Northern
Company F - Park
Company G - Richmond
Company H - Ingleside
Company I - Taraval

This Table shows receipt of complaints by month for various S.F.P.D. Assignments. Companies A and E receive the most complaints of all the district stations. Companies A & E also have the largest amount of activity.

TABLE 3.

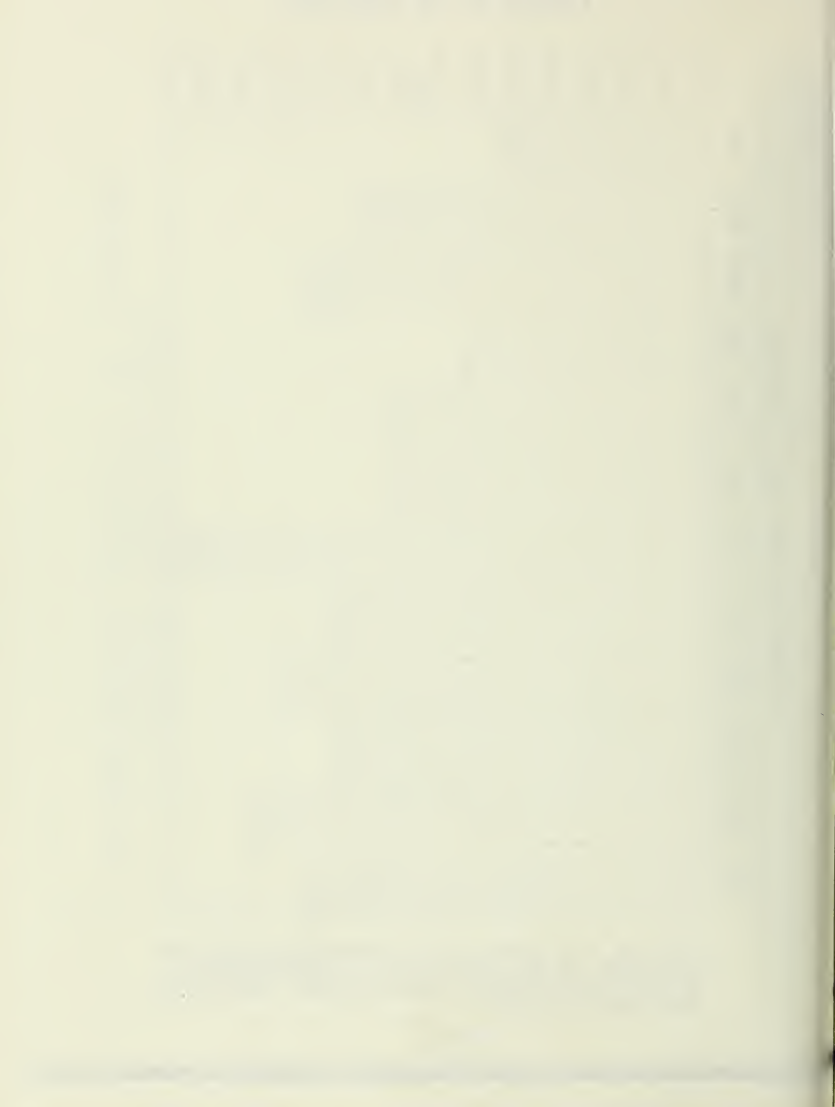


OFFICE OF CITIZEN COMPLAINTS ALCOHOL/DRUG RELATED COMPLAINTS



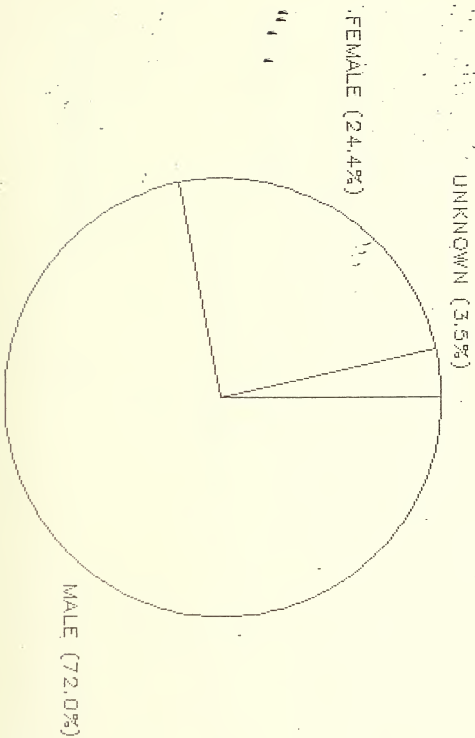
Alcohol and drug related complaints comprise approximately 20% of all cases. Of this 20%-only about one-fifth originated in activities carried out by the Narcotics Bureau. -- Most involved regular uniformed officers.

FIGURE 4.



OFFICE OF CITIZEN COMPLAINTS

SEX OF COMPLAINANTS: 1985



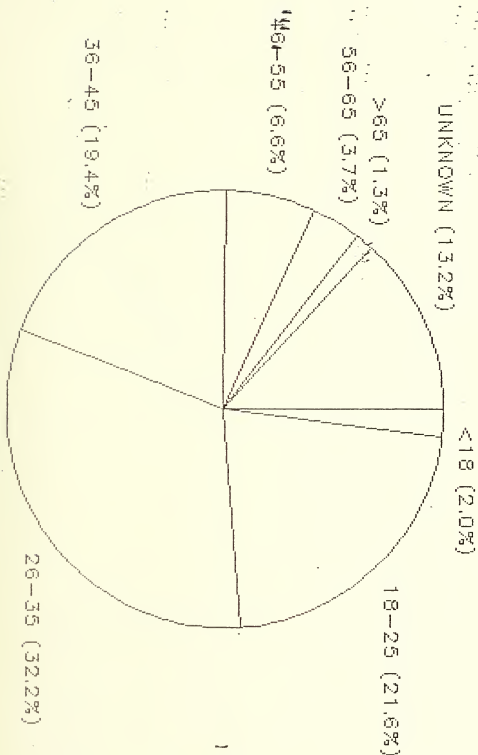
Males account for less than one-half of the City's population, but they lodge 70% of all complaints.

FIGURE 5.



OFFICE OF CITIZEN COMPLAINTS

AGE DISTRIBUTION OF COMPLAINANTS: 1985

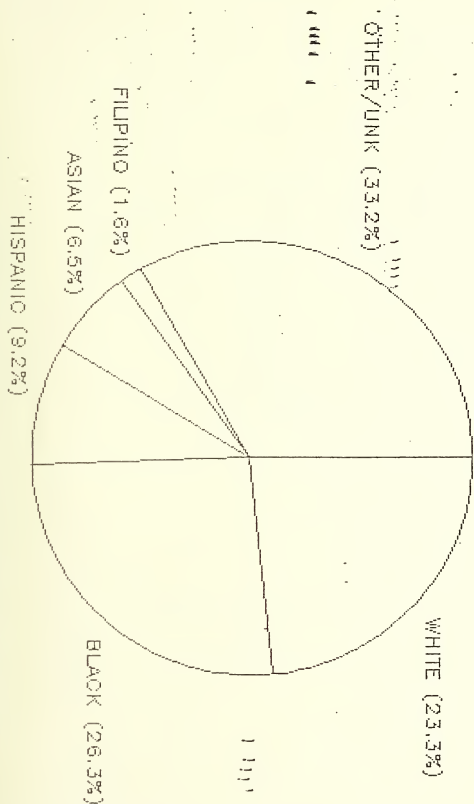


Individuals between the ages 18 - 45 lodge 73.2% of all complaints.

FIGURE 6.

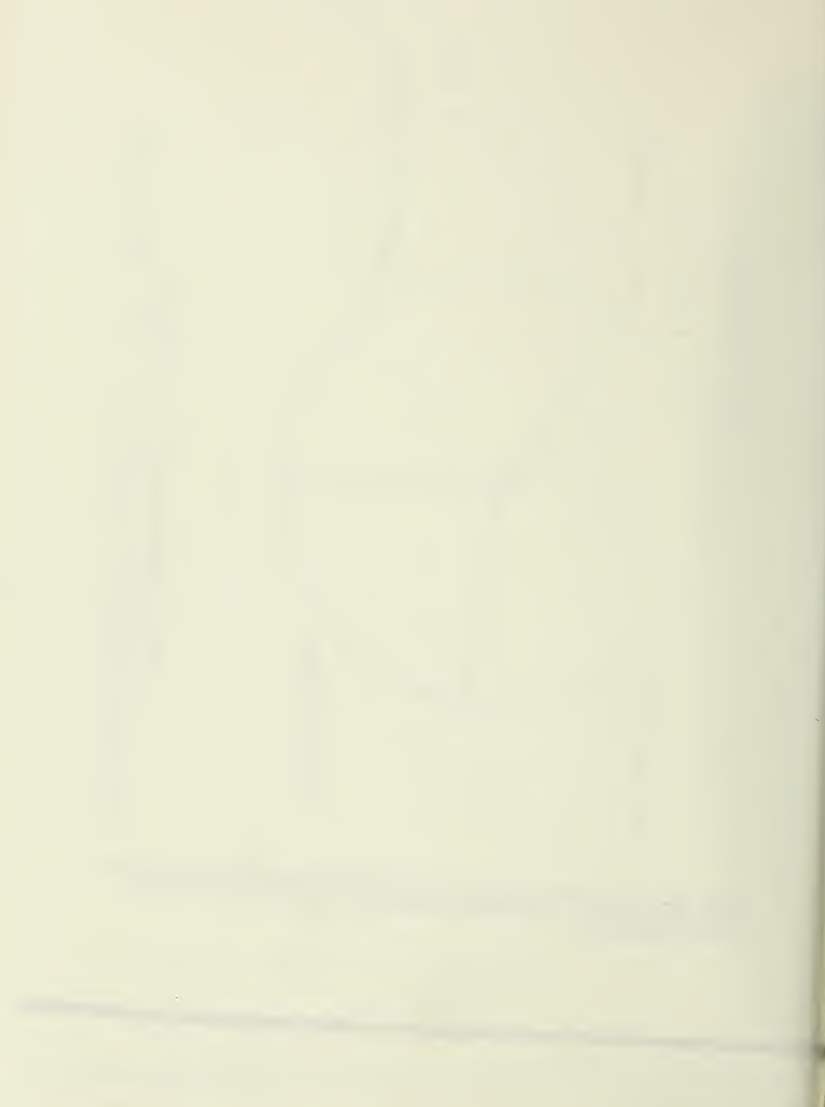


OFFICE OF CITIZEN COMPLAINTS ETHNICITY OF COMPLAINANTS: 1985



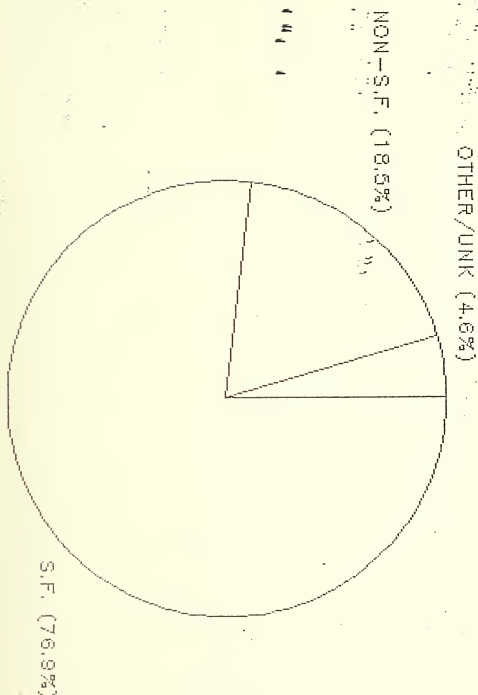
Based on their respective shares of total population, white complainants lodge less and black complainants lodge more than their proportionate share of complaints.

FIGURE 7. -



OFFICE OF CITIZEN COMPLAINTS

RESIDENCE OF COMPLAINANTS: 1985

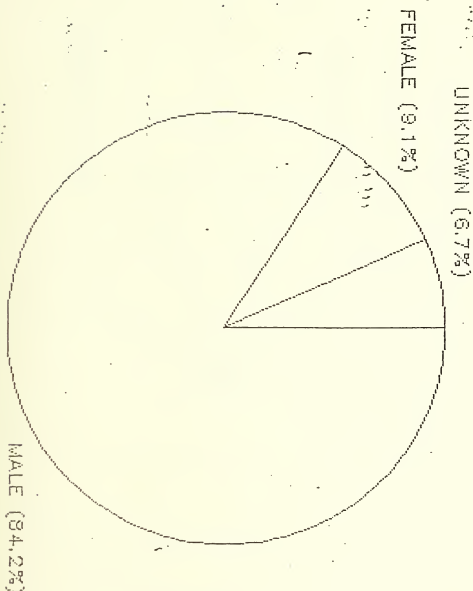


Most complainants are San Francisco residents. Most of the non-residents complainants involved problems that occurred late at night or early in the morning rather than during normal working hours.

Figure 8.

OFFICE OF CITIZEN COMPLAINTS

SEX OF OFFICERS: 1985



The sex of officers named in citizen complaints is depicted here. The proportions are about equal to their respective shares of S.F.P.D. sworn members. This suggests that male and female officers are equally likely to be named in complaints.

FIGURE 9.

OFFICE OF CITIZEN COMPLAINTS

ETHNICITY OF OFFICERS: 1985

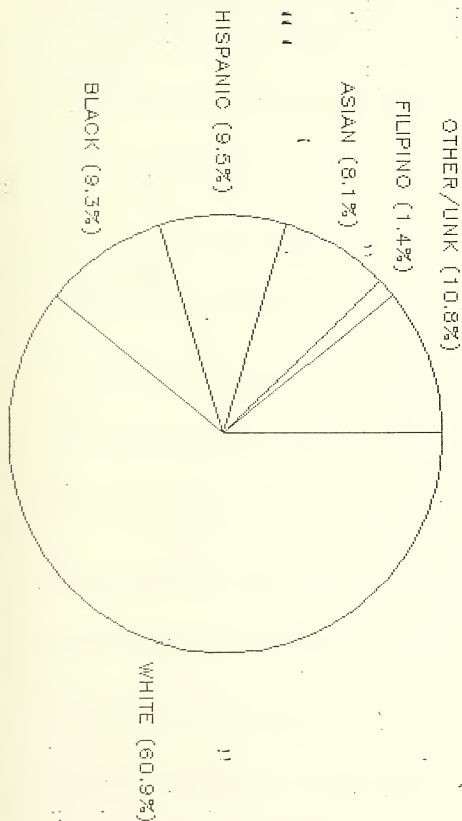


Figure 11 shows the ethnicity of officers named in complaints. There is no proportional difference between groups with respect to their risk of being named in complaints.

FIGURE 10



OFFICE OF CITIZEN COMPLAINTS

RANK OF OFFICERS NAMED IN COMPLAINTS

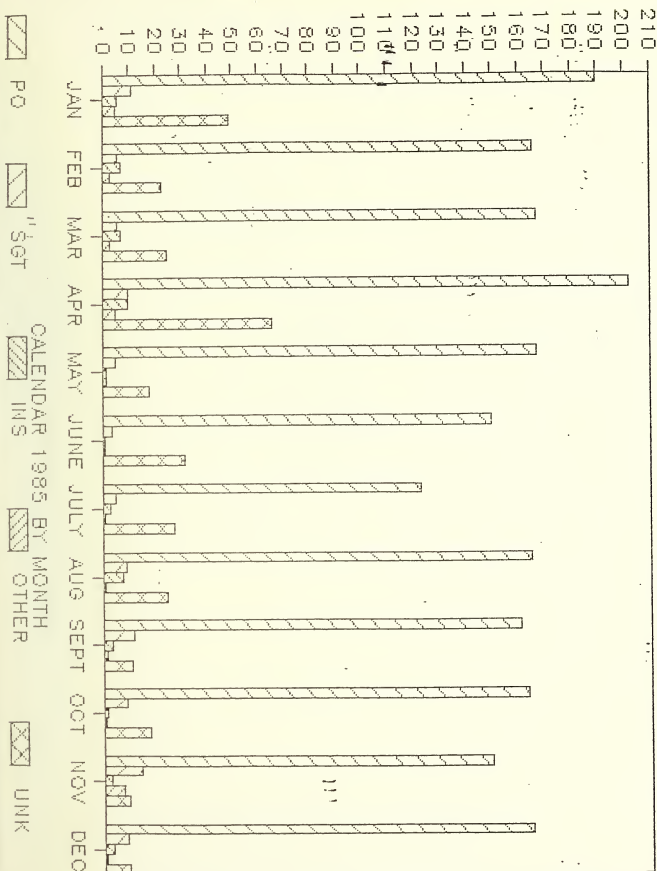


Figure 12 shows that 1st rank (Q-2) police officers are the S.F.P.D. members named in the great majority of citizen complaints.



OFFICE OF CITIZEN COMPLAINTS

TENURE OF OFFICERS NAMED IN COMPLAINTS

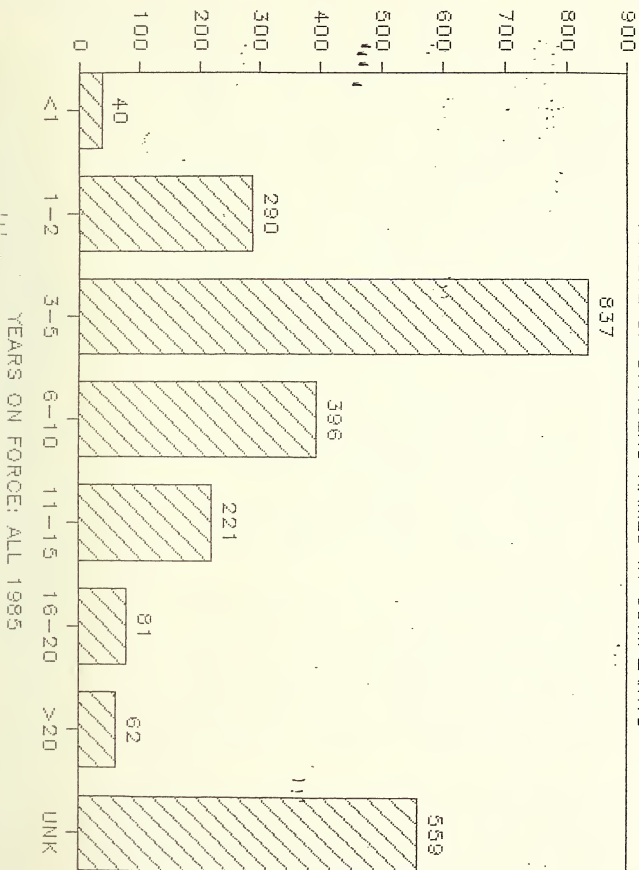


Figure 13 indicates that officers with three to five years on the force are the most likely to receive complaints.

FIGURE 12.



Charter Sec: 3.530-2 Office of Citizen Complaints

The police commission shall have the power and duty to appoint a director of the office of citizen complaints who shall hold office at its pleasure. The appointment shall be exempt from the civil service requirements of this charter. The director shall never have been a uniformed member or employee of the department. The director of the office of citizen complaints shall be the appointing officer under the civil service provisions of this charter for the appointment, removal or discipline of employees of the office of citizen complaints.

The police commission shall have the power and duty to organize, reorganize, and manage the office of citizen complaints. Subject to the civil service provisions of this charter, the office of citizen complaints shall include investigators and hearing officers. No full-time or part-time employee of the office of citizen complaints shall have previously served as a uniformed member of the department. Subject to rule of the police commission, the director of the office of citizen complaints may appoint part-time hearing officers who shall be exempt from the civil service requirements of this charter. Compensation of said hearing officers shall be at rates recommended by the police commission and established by the board of supervisors or contract approved by the board of supervisors.

Complaints of police misconduct or allegations that a member of the police department has not properly performed a duty shall be promptly, fairly, and impartially investigated by staff of the office of citizen complaints. The office of citizen complaints shall investigate all complaints of police misconduct or that a member of the police department has not properly performed a duty, except those complaints which on their face clearly indicate that the acts complained of were proper and those complaints lodged by other members of the police department. The office of citizen complaints shall recommend disciplinary action to the chief of police on those complaints that are sustained. The director of the office of citizen complaints shall schedule hearings before hearing officers when such is requested by the complainant or member of the department and, in accordance with rules of the commission, such a hearing will facilitate the fact-finding process.

Nothing herein shall prohibit the chief of police or a commanding officer from investigating the conduct of a member of the department under his or her command, or taking disciplinary or corrective action, otherwise permitted by this charter, when such is warranted; and nothing herein shall limit or otherwise restrict the disciplinary powers vested in the chief of police and the police commission by other provisions of this charter.

The office of citizen complaints shall prepare in accordance with rules of the police commission monthly summaries of the complaints received and shall prepare recommendations quarterly concerning policies or practices of the department which could be changed or amended to avoid unnecessary tension with the public or a definable segment of the public while insuring effective police services.

In carrying out its objectives the office of citizen complaints shall receive prompt and full cooperation and assistance from all departments, officers, and employees of the city and county. The director of the office of citizen complaints may also suggest and the chief of police shall require the testimony or attendance of any member of the police department to carry out the responsibilities of the office of citizen complaints.

The annual appropriations for all costs of the office of citizen complaints shall not exceed sixty percent of the costs incurred by the police department internal affairs bureau for the fiscal year ending June 30, 1981, adjusted annually therefore for inflation.



Police Commission for the City and County of San Francisco
OFFICE OF CITIZEN COMPLAINTS

The Professional Standards Agency for the San Francisco Police Department

~CITIZEN COMPLAINT FORM~

INSTRUCTIONS FOR COMPLETION OF THE CITIZEN COMPLAINT FORM:

Please answer questions in blocks 2, 3, 4, 5, 6, 8, 9, 10, 11, 15, 17, 20, 21, & 22. Leave all other blocks blank unless you know the information requested. Please **print** all information in **English**. If you do not have a telephone number, enter a message number or the number of a neighbor, friend or relative in block 4. If witnesses are available, write their names, addresses and telephone numbers on a separate sheet of paper and attach it to your complaint. Do not write them on the complaint form. If you do not know the officers name or badge number, include a complete physical description in the narrative (22). **Print** your narrative. Explain what happened from beginning to end. Be specific as to the nature of your complaint against each officer. Include who, what, where, when and why. If you need additional space, use separate sheets of paper and attach them to the complaint. **YOUR STATEMENT MUST BE A TRUE AND ACCURATE ACCOUNT OF THE INCIDENT** to the best of your knowledge and belief, and **must be signed** by you in block 25. If you have questions or need help, please call the OCC at 415-553-1407 between 8:00 a.m. and 5:00 p.m., or leave a message with our answering service after 5:00 p.m. You may also contact your local neighborhood center for help. Interpreters can be provided at no charge.

填寫公民投訴書說明：

請回答第 2, 3, 4, 5, 6, 8, 9, 10, 11, 15, 17, 20, 21及22項問題。除非您知道我們所要求的資料，否則請將其他各項留空。所有資料，務請以**正楷填寫清楚**。如果您沒有電話號碼，請在第4項填上有可能聯絡您的電話號碼，或鄰居、親戚、朋友的號碼。如果有證人，請用另一張紙寫上他們的姓名，地址及電話，和投訴書夾在一起；切勿寫在投訴書上。如果你不知道涉及事件的警務人員姓名或編號，請將該員的身體特徵，以**正楷**詳盡寫在第22項上。請清楚說明事件的過程，及投訴的類別，包括涉及何人、何事、何處、何時及何由。如您認為投訴書不夠您填寫，可以另紙填寫資料，夾在投訴書上。您應根據您所知道及所相信的事實填寫資料，**必須真實及正確**；填妥請在第26項簽名。如有疑問或需要幫助，請在上午八時至下午五時，致電415-553-1407「公民投訴組」，或在下午五時後，在該組的電話錄音機上留言。您亦可以與有免費翻譯員服務的「華埠建民中心」求助，電話415-391-5099。

INSTRUCCIONES PARA LLENAR EL FORMULARIO DE QUEJAS DE LOS CIUDADANOS: Por favor conteste las preguntas de las casillas 2, 3, 4, 5, 6, 8, 9, 10, 11, 15, 17, 20, 21, & 22. Deje sin contestar las demas preguntas a menos que sepa la información solicitada. El formulario debe ser contestado en **Ingles**. Si usted no tiene telefono escriba en la casilla 4 el número de un servicio de mensajes, o el de un vecino, amigo o pariente. Escriba en una hoja separada los nombres, direcciones y telefonos de los testigos (si los hay), y adjunte ésta información al formulario. En caso de que no conozca el nombre o número de insignia de los oficiales, incluya una descripción fisica completa (22). Describa los hechos en forma completa, sea especifico. Incluya quien, que, donde, cuando y porque. Su declaración debe ser un recuento exacto y verdadero del incidente y debe estar firmada por usted (25). Para pedir información o solicitar ayuda visite nuestras oficinas locales o llámenos al numero 415-553-1407, de 8:00 AM - 5:00 PM. El servicio de interpretacion es gratis. Formularios tambien pueden ser obtenidos en La Raza Information Center--415-826-5885.

PARAAN NE PAGSAGOT SA PORMANG ITO (CITIZEN COMPLAINT O REKLAMO NE MAMAMAYAN)

Mangyaring sagutin ang mga tanong sa blokeng 2, 3, 4, 5, 6, 8, 9, 10, 11, 15, 17, 20, 21, at 22. Kung wala kayo ng impormasyon hinihingi dito, paki-iwanan blanko ang blokeng hindi masagot. **Paki-ilmbag ang lahat na sagot ninyo.** Kung wala kayong telepono, paki-sulat lang ang inyong "message number", o ang numero ng inyong kapit-bahay, kaibigan, o kamaganak. Kung mayroon kayong mga saksi o testigo, isulat sa ibang papel ang kanilang mga pangalan, mga tirahan, at mga telepono at ikabit ito sa reklamo ninyo. Huwag gagamitin ang pormang ito. Kung hindi ninyo alam ang pangalan ng pulis o ang numero ng kanyang tsapa, isama sa inyong salaysay ang hitsura at pagmumukha ng pulis. Ilmbag ang inyong salaysay. Liwanagin lahat ang nangyari magmula sa umpisa hanggang sa katapusan. Tiyakin o siguraduhin ang inyong sinusumbong o renireklamo. Sabihin o ilarawan kung sino, ano, saan, kailan at bakit sa pangyayari. Kung kulang ang pagsusulat na dito gumamit ng ibang papel at ikabit ito sa sumbong ninyo. Sa inyong kaalaman at paniiniwala, ang inilahad ninyong nangyari ay dapat lubos na katotohanan at walang kamali-mali at kailangan ninyong pirmahan ang sumbong ito sa blokeng bilang 25. Itanong sa amin kung alinman dito ang hindi maliwanag sa inyo. Kung kailangan ninyo ng tulong, paki-tawagan kami, OCC, telepono 415-553-1407. Maaring tawagan din ninyo ang Dimasalang House sa telepono 415-495-5007 sa pagitan ng alas-otso ng umaga at alas-singko ng hapon o mag-iwan ng pahatid o "message" sa aming "answering service" paglampas dng alas-singko ng hapon.

OFFICE OF CITIZEN COMPLAINTS - USE BLACK INK ONLY!

1 Day, Date & Time Complaint Received

Complaint Against: Personnel ☐ Policy ☐ Procedure ☐How Received: Person ☐ Phone ☐ Letter ☐ SFPD ☐ Mail-In ☐ Other ☐ : (specify) _____

② Primary Complainant:

Last Name	First Name	Middle Initial
-----------	------------	----------------

HOME ADDRESS: _____
Street Apartment

City	State	Zip
------	-------	-----

WORK ADDRESS: _____
 Street Apartment

City	State	Zip
------	-------	-----

② Personal Information

Age: _____ Date of Birth: _____

Sex: _____

Ethnicity:

Occupation:

4 Telephone Numbers:

Home: ()

Work: ()

5 Location of Occurrence:

6 Type of Place 7 District

8 Day, Date, & Time Of Occurrence:

A.M. / P.M.
(Circle one)

9 Incident Report or Citation No

10 SECONDARY COMPLAINANT? Yes ☐ No ☐ Witnesses? Yes ☐ No ☐ (If "Yes", attach separate sheet of paper.)
Taped Interview? Yes ☐ No ☐ Criminal Case Pending in Relation to this matter? Yes ☐ No ☐

11 Injuries Claimed? Yes ☐ No ☐ Injuries Visible? Yes ☐ No ☐ Drug/Alcohol Related? Yes ☐ No ☐
Photos Taken? Yes ☐ No ☐ By: Photo Lab ☐ O.C.C. ☐ Other: ☐

Type of Injury:

Medical Release Signed? Yes | | No | |

[illegible]

22

NARRATIVE OF INCIDENT:

23

CASE DISPOSITION AND COMMENTS:
(For O.C.C. use only!)

24

ASSIGNED TO:

DATE:

25

I verify that the above statement is true and
correct to the best of my knowledge and belief.

X

Complainant's Signature

Taken By:

Name

Title/Star #

Station

After you have completed this form, return it to the Office of Citizen Complaints by folding it along the lines below so that the address shows on the outside. Drop in any mailbox. NO POSTAGE NECESSARY IF MAILED IN THE UNITED STATES.

在您填妥本投訴書後，請沿摺線摺妥（地址在外），投入郵箱，寄回「公民投訴組」。在美國境內寄出，不需郵費。

Despues de completar la forma, doblela sobre las lineas marcadas y depositela en el buzón. No necesita estampilla (sello postal).

Matapos buuin ang pormang ito, tiklupin sa mga linyang nakatatak sa baba upang makita sa labas ang aming "address". Ihulog sa anumang buson o "mailbox". Hindi kailangan ng selyo kung ipadadala lang sa loob ng America.

OFFICES LOCATED AT:
Room 565, Hall of Justice
850 Bryant Street
(between 6th & 7th Streets)
San Francisco, California 94103



NO POSTAGE
NECESSARY
IF MAILED
IN THE
UNITED STATES

BUSINESS REPLY MAIL

FIRST CLASS MAIL PERMIT NO. 22978 SAN FRANCISCO, CA

POSTAGE WILL BE PAID BY ADDRESSEE

City and County of San Francisco
OFFICE OF CITIZEN COMPLAINTS
400 Van Ness Avenue, Room 67-A
San Francisco, California 94102-9946



SAMPLE ONLY

TO : Insp. Personnel
 FROM :
 DATE :
 RE : Officer

SUBJECT :
 DATE APPOINTED :
 RANK :
 ASSIGNMENT : Company Watch 1

The Office of Citizen Complaints has reviewed its records on the member named above and is furnishing the following confidential information for your review.

Total Number of Complaints: 24

ALLEGATIONS BY TYPE:	UF	UA	CRD	ND	RS	OS	D
SUSTAINED	0	0	0	0	0	0	0
PROPER CONDUCT	0	2	0	0	0	0	0
UNFOUNDED	2	1	1	1	0	0	0
OTHER UNSUSTAINED	5	7	7	5	0	0	1
PENDING	1	0	0	0	0	0	0

RATE OF COMPLAINTS	OFFICER	ASSIGNMENT
PER 1,000 ACTIVITIES	5.91	3.94
FROM:		

COMMENTS:

Since his appointment in , Officer has become one of the most complained against members of the San Francisco Police Department. He received 6 citizen complaints in 1983, 11 in 1984, 4 in 1985, and has received 4 so far during 1986 (one was received on 3/25/86 and does not appear yet on the multiple card record). This is quite an accomplishment.

An evaluation of his record is difficult. Most of the complaints involve relatively trivial incidents which occurred during the course of legitimate police activities. Complaints alleging unnecessary force suffer either from vagueness as to which officer was responsible or do not clearly demonstrate that the force used was excessive.

SAMPLE
 ONLY

There are several recurrent themes in the complaints: 1. statements implying the complainant is a prostitute (male or female, always derogatory), 2. indications that the complainant was intoxicated (alcohol and other drugs), and 3. missing property (including money). I have reviewed officer responses to two complaints, which he dismissed as ridiculous (and a few clearly are).

The volume of complaints Officer receives appears to indicate something is amiss. We appreciate the difficulty of working the first or third watches in Company and expect higher than average complaint rates. On the other hand, other officers do as much as in the same district at the same times and do not receive nearly so many or any complaints. Two of our investigators who are familiar with his cases feel that he takes care to observe the letter of the law, but may have some personal hostilities toward prostitutes, punks, and drunks which lead him to become discourteous and perhaps on occasion to incite citizens into actions that then justify more forceful measures. The impression one gets from numerous unrelated complainants is that is arrogant, has an ax to grind with certain types of people, and may let his personal feelings determine his actions while dealing with members of the public.

SAMPLE
ONLY

OFFICE OF CITIZEN COMPLAINTS

PROFESSIONAL STANDARDS AGENCY OF THE SAN FRANCISCO POLICE DEPARTMENT

CITY AND COUNTY OF SAN FRANCISCO



FRANK J. SCHOBBER, JR.

DIRECTOR

HALL OF JUSTICE
850 BRYANT STREET
SAN FRANCISCO, CA
94103
(415) 553-1407

File

Dear :

Your complaint (copy enclosed) has been registered with this Department. The case has been assigned for detailed investigation.

You will be contacted by an Investigator for the purpose of allowing you to give additional information at a later date. However, should you need or desire information concerning the status of your case in the meantime, you may contact Dan Silva, Executive Officer Investigator at 553-1407.

You will be notified of any misconduct uncovered as a result of the investigation.

Very truly yours,

FRANK J. SCHOBBER, JR.
Director

by DANIEL J. SILVA
Chief Investigator
Detailed Investigation Section
For the Director

ANNEX D

DISTRIBUTION OF ALLEGATIONS AND FINDINGS OF IMPROPER CONDUCT WITHIN CASES
 OR WHICH D.C.C. COMPLETED DETAILED INVESTIGATIONS DURING 1985

TYPE OF ALLEGATION	CASES WITH AT LEAST ONE SUSTAINED ALLEGATION		TOTAL NUMBER OF CASES WITH ONE OR MORE SUCH ALLEGATIONS	
	#	%	#	
UNNECESSARY FORCE	13	7.0%	125	
IMPROPER CONDUCT REFLECTING DISCREDIT	10	9.6%	104	
UNWARRANTED ACTION	11	7.9%	139	
NEGLECT OF DUTY	9	16.1%	56	
ABUSE OF AUTHORITY	2	25.0%	8	
DISCOURTESY	2	14.3%	14	

A TOTAL OF 32 OUT OF 398 CASES (9.2%) CONTAIN SUSTAINED ALLEGATIONS

ALLEGATIONS AND DISPOSITIONS FROM DETAILED INVESTIGATION CASES COMPLETED
BY THE OFFICE OF CITIZEN COMPLAINTS DURING 1985

INCLUDES CASES CARRIED OVER FROM 1983 AND 1984

TABLE 1. DISPOSITION OF ALLEGATIONS: BY TYPE OF ALLEGATION AND TYPE OF DISPOSITION

O.C.C. = DISPOSITION	SUSTAINED		NOT SUSTAINED		PROPER CONDUCT		UNFOUNDED		POLICY FAILURE		PENDING		TOTAL
TYPE OF ALLEGED MISCONDUCT	#	%	#	%	#	%	#	%	#	%	#	%	#
U.F.	14	4.5%	161	51.6%	20	6.4%	57	18.3%	1	0.3%	59	18.9%	312
C.R.D.	22	13.4%	99	60.4%	4	2.4%	22	13.4%	0	0.0%	17	10.4%	164
U.A.	19	8.4%	89	39.4%	47	20.6%	37	16.4%	3	1.3%	31	13.7%	226
N.D.	22	22.9%	23	24.0%	18	18.8%	22	22.9%	1	1.0%	10	10.4%	96
SLURS	3	30.0%	1	10.0%	0	0.0%	4	40.0%	0	0.0%	2	20.0%	10
D.	2	8.7%	5	21.7%	0	0.0%	0	0.0%	0	0.0%	16	69.6%	23
TOTAL	82	9.9%	378	45.5%	89	10.7%	142	17.1%	5	0.6%	135	16.2%	831

U.F. = UNNECESSARY FORCE; C.R.D. = CONDUCT REFLECTING DISCREDIT ON THE DEPARTMENT; U.A. = UNWARRANTED ACTION

N.D. = NEGLIGENCE OF DUTY; SLURS = RACIAL AND SEXUAL; D. = DISCOURTESY



THE POLICE COMMISSION

CITY AND COUNTY OF SAN FRANCISCO

HALL OF JUSTICE

850 BRYANT STREET

SAN FRANCISCO, CALIFORNIA 94103

R. DAVID J. SANCHEZ, JR., President
FRED J. NELDER, Vice-President
DALY, Commissioner
THOMAS HSIEH, Commissioner
ERL A. TOLER, Commissioner

LIEUTENANT WILLIE E. FRAZIER
Secretary

September 19, 1985

Cornelius P. Murphy
Chief of Police
City and County of San Francisco
850 Bryant Street
San Francisco, Ca. 94103

Dear Chief Murphy:

The Police Commission of the City and County of San Francisco hereby directs that the following statement (see attachment) known as Police Commission Memorandum No. 1 be distributed in poster form to the San Francisco Police Department as follows:

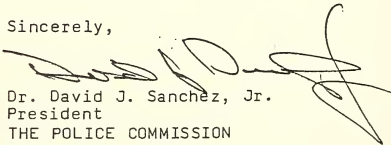
1. Office of the Chief, Deputy Chiefs, Commanders and Captains in charge of stations and major details.
2. All classrooms of the Police Academy; the public area of the Academy.
3. All classrooms of the field training program.
4. All district stations, one in the public reception area, one in the officer assembly area.

Posters of Memorandum No. 1 will be provided by Director O.C.C..

They will be properly framed in a uniform fashion. Commanding Officers will insure that the framed posters are displayed properly as directed and that they are well and carefully maintained.

In addition; the Commission directs that Memorandum No. 1 be the subject of ongoing formal and informal training by all responsible for training and command within the Department. To this end, all officers should exemplify by their actions, words and manner the letter and spirit of Memorandum No. 1.

Sincerely,


Dr. David J. Sanchez, Jr.
President
THE POLICE COMMISSION

"OFFICERS OF THE

SAN FRANCISCO POLICE DEPARTMENT RECOGNIZE THAT IT IS THEIR
DUTY AT ALL TIMES TO ACT LEGALLY AND PROPERLY....

TO SHOW COMPASSIONATE RESPECT FOR THE DIGNITY OF THE
INDIVIDUAL AND TO TREAT EVERY PERSON OF WHATEVER RACE,
CREED OR LIFESTYLE WITH COURTESY & UNDERSTANDING."

THE POLICE COMMISSION
CITY AND COUNTY OF SAN FRANCISCO

DR. DAVID J. SANCHEZ, JR., PRESIDENT

ALFRED J. NELDER, VICE PRESIDENT

LOUIS J. GIRAUDO, COMMISSIONER

OWEN H. DAVIS, COMMISSIONER

DR. JUANITA OWENS, COMMISSIONER

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OFFICE OF CITIZEN COMPLAINTS

THE POLICE COMMISSION FOR THE CITY AND COUNTY OF SAN FRANCISCO

2 The OCC: A Progress Report

by Frank J. Schober, Jr.
Director

Commission Policy Recommendations To The OCC For 1986:

At the time of its last report to the Police Commission, three questions/policy recommendations were made by the Commission to the OCC. These were as follows:

1. What is the OCC doing to improve the level and quality of its investigations?
2. What is the OCC doing to enhance its contact with community groups in the City?
3. How can the OCC provide more efficient round-the-clock, multi-lingual service for citizens of the City?

Much has been done to meet these challenges during the past year. Specifically, this includes the following:

1. What is the OCC doing to improve the level and quality of its investigations?

The OCC has formed, within existing staff resources, a Complaint Review Committee or CRC. The CRC meets daily to review complaints received from citizens in the twenty-four hours preceding this daily meeting. The CRC enforces standards for complaint reception addressing the qualities of completeness and accuracy on the part of intake investigators. It reviews initial assessments of complaint solvability made by these investigators, and acts expeditiously to assign investigators to those cases which merit priority attention. Additionally, the OCC has developed and implemented a detailed case format which more clearly outlines the evidentiary factors on which cases are sustained or not sustained making its cases more readable for reviewers of its work.

2. What is the OCC doing to enhance its contact with community groups in the City?

The OCC distributes the journal it publishes, *"The Professional"*, to each police officer of the SFPD as well as to many community groups throughout the City. The purpose of *"The Professional"*, is to assist the department in its enhancement of a professional response by its officers and to inform citizens through their community groups of the department's progress in this regard.

The OCC has instituted several other programs to enhance its contact with the community and to inform citizens of its investigative role with respect to their complaints

a. The OCC has developed an OCC volunteers program. Selected volunteers nominated by community groups in the City will be trained by the OCC and will assist in complaint reception and screening. This program is scheduled to be in place by March of 1987.

b. The OCC is in the process of publishing brochures to be distributed to community groups in the City detailing methods by which such groups can assist the OCC in its support to the Department's efforts to increase the level and quality of officer contact with citizens served.

c. On March 16, 1987, the OCC will host an open house at its new quarters at 555 Seventh Street in the City. The program for this open house will include a briefing of community group leaders on the investigative, statistical and policy recommendations role of the OCC.

3. How can the OCC provide more efficient round-the-clock, multi-lingual service for citizens of the City?

Four OCC investigators are on duty, armed with beepers when they are away from office or home telephones. The contract answering service has been required to ask complainants who call after duty hours whether or not the complaint can wait until the beginning of the next working day. If in the opinion of the calling party it is a matter that is time-sensitive and does not admit of delay, the answering service has been instructed

to call one of the four OCC duty personnel on twenty-four hour call after normal working hours. With respect to multi-lingual service, each on-call person of the OCC has been given a roster of bilingual as well as sign-language qualified personnel of the SFPD who can be contacted through police department communications during off-duty hours.

*OCC Internal Goals

At its last report to the Commission, the OCC stated that its goals for case completion were five days for directed or preliminary investigations and no more than ninety days from assignment to turn in for detailed investigations. The first of these goals has not been achieved. The Complaint Review Committee (CRC) to which all directed investigations are assigned is taking a longer, harder look at all newly received cases in attempt to achieve the earliest possible resolution. With respect to detailed investigations, the 90 day time frame appears realistic and is being achieved in most cases.

The OCC: A Look into the Future

Policy Recommendations to the Commission:

Name Tags: These are now required for all on-duty police personnel in uniform. As soon as force of habit reinforces the mandatory nature of this requirement, the wearing of these tags will be actually, as well as by regulation, a part of the uniform of all personnel.

Arrest on Warrants: The department has altered its policy with respect to provision of information to citizens who are arrested for an excess number of traffic warrants. The amount of complaints resulting from such was significantly reduced in 1986.

Property Complaints: Perhaps due to OCC's last recommendation on this subject, that training be enhanced

Continued on next page, Column one

from previous page

ced and procedures be refined for the booking of prisoner property, but certainly due to the department's enhanced training system in this area, complaints due to lost property have fallen to virtually zero from a level that approximated seven (7%) in 1985.

Double Locking of Handcuffs:

In its 1985 Annual Report, the OCC recommended that officers should be required to double lock handcuffs whenever applied as a matter of standard operating procedure. Complaints arising from misapplication of handcuffs fell in 1986. This may or may not indicate that this policy recommendation has had a salutary effect. The data tabulated on this subject is not clear.

MBO Objective of a 25% Reduction in the Number of Complaints:

The department came close to this objective in 1986 and achieved a 23% reduction in the number of complaints lodged against its personnel. This is obviously due to a greater emphasis by the leadership of the department at all levels of reducing complaints, by the institution of the PIP Program, and by an enhanced peer support and counseling program, by the institution of the revised and improved General Order which deals with the reception and handling of citizen complaints by the SFPD and the OCC, by an improved training program at the basic, advanced, and promote levels of officer education sponsored by the police academy. In general, the credit for this reduction of complaints can be attributed to a manifest change in the attitude in the department with respect to complaints, most notably to the acceptance by the rank and file officer of the concept that it is possible to ensure effective police service and do so with minimum friction with the citizens who are the recipients of such service.

Recommendations for 1987:

A. Past Recommendations: Recommend that the department continue to enforce recommendations made by the OCC and approved by the Police

Commission in 1986;

B. New Recommendations:

1. Recommend that the department continue its present effort to enhance police reports that are in every respect complete and adequate representations of the events described. The conventional police "wisdom" is that all such reports, especially those which detail the use of force, be minimal in nature. Because this conventional wisdom is, by present legal practice, not useful and perhaps unwise, recommend the department do all within its power to ensure that reports made by its officers conform to the highest standards and that they detail, particularly when force is deemed to be required, exactly what transpired in a particular arrest situation.

2. Since the department is considering the re-location of Central Station due to gridlock traffic conditions and the near impossibility of police personnel who must work out of the facility parking in the area, recommend that consideration be given to a centralized parking facility for employees of the station and the provision of transportation to and from that centralized parking facility for officers and civilians who work at Central Station.

Mission and Philosophy of the OCC

The mission of the Office of Citizen Complaints is outlined in the Charter of the City and County of San Francisco. It is a three part mission:

1. "The Office of Citizen Complaints shall investigate all complaints of police misconduct . . . , except . . . those . . . lodged by other members of the Police Department."
2. "The Office of Citizen Complaints shall prepare monthly summaries of . . . complaints received."
3. "[The Office of Citizen Complaints] . . . shall prepare recommendations quarterly concerning policies or practices

of the department which could be changed or amended to avoid unnecessary tension with the public or a definable segment of the public while insuring effective police service."

The OCC sees each of these goals as equally important parts of its assigned role as agent of the Police Commission in assisting the Department's effort to increase the level and quality of its professional response to the citizens it serves.

With respect to the OCC's investigative mission, it should be noted that the SFPD shares with other police departments nationwide, a key element of experience—few complaints against officers are sustained after investigation. The best method of reduction complaints is therefore quite obviously a program of prevention based on a careful analysis of the complaint histories or individual officers and units of the Department.

With respect to OCC's assistance to the Department's complaint prevention efforts in 1986, eighty-eight officers, or 4.5% of a force of 1980 sworn members, were identified as liable for 537 complaints, nearly one-third of the total number of 1,612. The Department's Personnel Improvement Program (PIP) has reacted to this set of facts in a variety of positive ways. All of these officers have been counseled at appropriate levels of the chain of command. As a result of counseling, some of the named officers have been reassigned, some are being re-trained, some have been referred for psychological assistance. All are being closely monitored by the police department's chain of command. There is every indication that the Department is serious and taking systematic steps concerning the need to improve the professional response of its officers to the public while insuring effective police service.

At the positive end of the complaint statistics spectrum, our analysis of 1986 complaints discovered some facts that will surely be of interest to the Commission and to the general public. We have developed a list of 55 officers whose levels of reported activities places them in the top 10% of all sworn SFPD personnel and who had no complaints at all during 1986.¹ These officers are assigned throughout the entire

The OCC in Statistics--A Brief Look

by Steven V. Lutes,
Statistical Analyst

In calendar year 1986, the Office of Citizen Complaints processed 1,535 cases alleging improper conduct by police officers. Of the total, 268 were classified as Information Only (meaning either the complaints were determined to not involve sworn SFPD members or contained allegations clearly indica-

Summary of 1986 Activities Previous Year Comparisons

QUARTER	1st	2nd	3rd	4th	Total	+ or -
INFORMATION ONLY-1985	132	148	72	64	416	
INFORMATION ONLY-1986	58	84	70	56	268	-35.58%
COMPLAINTS-1985	477	433	351	351	1612	
COMPLAINTS-1986	317	313	322	315	1267	-21.40%
UNNECESSARY FORCE-1985	153	188	181	152	674	
UNNECESSARY FORCE-1986	112	92	138	134	476	-29.38%

tive of a disturbed mental state). The remaining 1,267 inquiries represent complaints filed against sworn members of the department.

After a decade of large increases, the number of complaints began to decline in 1985. In 1985, OCC investigated 1,612 cases, a drop of about 33% from 1984. A simple linear regression-based projection done in January of 1986, suggested that roughly 1,450 new cases would be filed in 1986. Instead, the actual count of 1,267 is about 13% lower than was anticipated.

In the accompanying table, it can be seen that each quarter of 1986 shows a decline from the corresponding quarter in the previous year.

OCC counts the number of unnecessary force allegations and calculates their proportion to all allegations and their rate per 1,000 activity reports. These two measures are thought to be good indicators of how many cases are of a serious nature. The number of unnecessary force allegations made in 1986 is about 30% lower than in 1985. This figure would have been

lower still if it were not for increases in the third and fourth quarters.

The OCC assigned 162* cases to detailed investigation during calendar year 1986. This represents about 13% of the total. Many jurisdictions do not count as complaints those grievances which, after a preliminary review, do not appear to contain serious allegations or the kinds of factual evidence that would warrant the conduct of an exhaustive investigation.

Of the 162 cases sent to detailed investigation, 19 contain one or more sustained findings against one or more named officers. The percent of cases with sustained findings, using detailed investigations as the base, is 11.7%.

Note that detailed investigative cases assigned during the final quarter of 1986 have not yet been closed with findings. The final proportion of cases with sustained findings will this probably be higher than stated here.

During 1986, 17 investigative hearings were held following 22 request for same.

*162 is the total number of cases which were assigned for detailed investigation during 1986. Of that number, approximately 25% are currently under investigation. Therefore, the outcomes in those cases is not reported at left.

The nineteen cases reported represent 35 allegations against 25 sworn members of the department.

OCC Sustained Cases & Departmental Actions

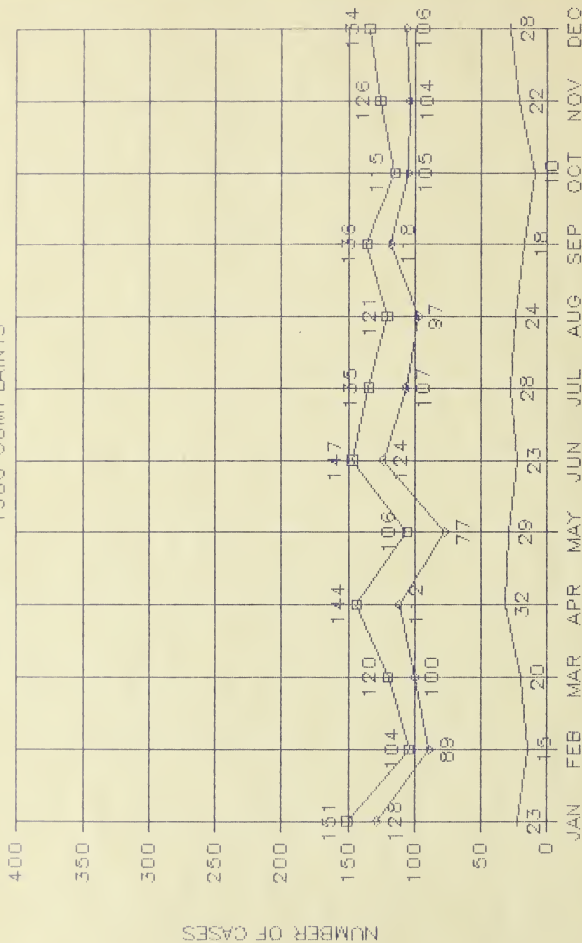
CASE NO.	OFFICER	ALLEGATIONS	DEPARTMENTAL ACTIONS
001	A ¹	UF ²	Returned to OCC for additional investigation 01/05/87
	B	UF	Returned to OCC for additional investigation 01/05/87
002	C	CRD	Chief did not concur, no action
003	D	UF	Commission hearing set
004	E	UA, RS, D	Chief's (?) hearing set
	F	UA, CRD	Chief's (?) hearing set
	G	CRD	Chief's (?) hearing set
005	H	ND	OCC hearing set
006	I	ND	Ten (10) day suspension, 8 in abeyance
007	J	UF	Hearing set
008	K	D	Officer retired, no action
009	L	D	One (1) day suspension
010	M	CRD	Chief did not concur, no action
011	N	UF	Forty-five (45) day suspension
	O	UF	Forty-five (45) day suspension
012	P	UA	Thirty (30) day suspension, 15 days imposed, 100 hours of community service
013	Q	UF, CRD	Ten (10) day suspension, 2 days imposed, upheld by Commission on appeal
014	Q	UF, UA, CRD	Ten (10) day suspension, 7 days imposed, upheld by Commission on appeal
015	E	UF, UA, CRD	Chief did not concur, no action
	R	UF, UA, CRD	Chief did not concur, no action
016	S	UF	Ten (10) day suspension, overturned by the Commission on appeal
	T	UF	Ten (10) day suspension, overturned by the Commission on appeal
017	U	D	Reprimand
018	D	UF, D	Returned to OCC, "improper" findings by hearing officer
019	V	UF, CRD	Ten (10) day suspension

¹ Due to confidentiality requirements of state law, fictitious case numbers have been assigned to the cases. Officers are referred to as letters of the alphabet. Where an officer has been the subject of more than one sustained allegation, that letter is repeated in the table above.

² Codes for allegations are as follows: (UF) = Unnecessary Force; (UA) = Unwarranted Actions; (D) = Discourtesy; (ND) = Neglect of Duty; (CRD) = Conduct Reflecting Discredit on the Department; (RS) = Racial Slurs.

OFFICE OF CITIZEN COMPLAINTS

1986 COMPLAINTS



TOTAL INTAKE

+ INFORMATION ONLY

◇ COMPLAINTS

MONTHLY AVERAGES

1985

1986

TOTAL INTAKE

164

128

COMPLAINTS

132

106

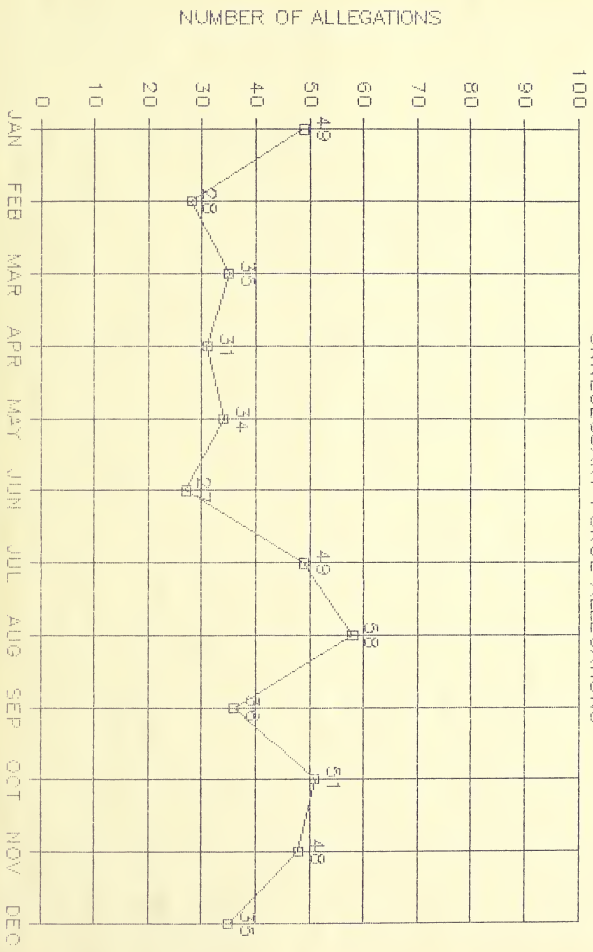
INFORMATION ONLY

21

23

OFFICE OF CITIZEN COMPLAINTS

UNNECESSARY FORCE ALLEGATIONS



MONTHLY TOTALS - 1986

MONTHLY AVERAGES

1985
53

1986
40

Frank J. Schober, Jr.
Director

Araceli Matus
Acting Sr. Investigator
Control and Evaluation

Larry R. Shockey
Acting Sr. Investigator
Hearings Section

Daniel J. Silva
Executive Officer

Steven V. Lutes
Statistical Analyst

George R. Coan
Chief Hearing Officer

from page 3

department and come from district stations as well as the operational units of the Bureau of Inspectors. Most interestingly, some of these officers had high levels of complaints in 1985 and have no complaints at all in 1986. They have reduced complaints while maintaining the highest levels of activity. OCC has provided the list of these officers to the Chief. All other things being equal, these officers appear to be worthy of both emulation by other officers of the Department and commendation by the Commission for their high volume of police work and absence of complaints.

¹According to the Officer Activity Log which keeps track of activities by officer and by unit of assignment. Officers are required to report every significant contact with citizens. Such contacts include but are not limited to arrests, bookings, responses to requests for assistance by citizens, on-view or self initiated runs, dispatched runs to crime scenes, the transportation of suspects to booking facilities, and warrant service, as well as the issuance of summons and citations for all offenses to

include those related to vehicular traffic in the City.

The OCC Budget, the 60% Cap, and the Survival of the Office

The OCC will be moving to new and improved office space on or about the 28th of February, 1987. It will bring to this new space some of the problems that it had at the old location at the Hall of Justice, however.

With respect to budgetary limitations, imposed by the Charter, the OCC has requested advice from the Office of the City Attorney concerning a recalculation of the "cap" of 60% of the budget of its predecessor agency, the Internal Affairs Bureau of the Police Department. The basis for this appeal is the existence of new costs, heretofore indirect, which were assumed but not iden-

tified in the overall police department as long as the OCC occupied offices in the Hall of Justice, such as rent, lights, water, garbage, security, etc. Since these costs have now been identified as direct and since they were always a part of "all costs" as defined in the Charter but since they were never made a part of the original cap calculation, the City Attorney has been asked to rule if they may now be calculated in the OCC's budget for FY 1987-88.

In any event, due to the fact that OCC's calculation of budget cap is mandated by the Charter to depend on increases in the cost of living index and not upon the City's salary standardization act, and step increases also mandated by the Charter, the OCC budget for future years is on a collision course with fiscal disaster. The Commission should be aware that sooner or later, the Charter will have to be amended to change, eliminate, or modify the requirements for a cap if the OCC is to survive as an agency of the Department. Recommend that the Commission order a study to be provided by the Director of the OCC outlining this problem in detail and suggesting such Charter amendments as are necessary.

The Office of Citizen Complaints is
located at:

555 Seventh Street, Second Floor
San Francisco, California 94103
(415) 553-1407

Frank J. Schober Jr.
Director

